



AYSGARTH SCHOOL
CHILD PROTECTION POLICY (7a)
(PART OF THE SAFEGUARDING POLICY)

Reviewed: September 2021 and to be reviewed September 2022

Responsible Member of Staff: Robert Morse

Responsible Governor: Nimble Thompson, Chairman of Governors

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AYSGARTH SCHOOL

CHILD PROTECTION POLICY (PART OF THE SAFEGUARDING POLICY)

This should be read in conjunction with the following:

- The Safeguarding Policy - Owner - Robert Morse
- The Recruitment Policy - Owner - Robert Morse
- The Code of Conduct - Owner - Jo MacLelland
- The Counter Bullying Policy - Owner - Guy Askew
- The Physical Restraint Policy - Owner - Robert Morse
- The Whistleblowing Policy - Owner - Robert Morse
- Peer on Peer Abuse Policy - Owner - Paul Barlow
- Technology and E-Safety Policy (inc cyberbullying) - Owner - Jo MacLelland
- Children Missing from Education - Owner - Robert Morse
- Low Level Concerns Policy - Owner - Robert Morse

This policy applies to the whole school including our Early Years Foundation Stage and after School care. Its provisions cover all those working in the School, whether as staff, governors or volunteers. It follows the Government's statutory guidance entitled Keeping Children Safe in Education (KCSIE 2021 - September 2021), Working Together to Safeguard Children (July 2018), Disqualification under the Childcare Act 2006 & The Children Act (1989), Prevent Duty Guidance: for England and Wales March 2015, The Counter Terrorism and Security Act 2015 and the guidance paper 'Advice for practitioners providing safeguarding services to children, young people, parents and carers'.

Designated Safeguarding Lead; Robert Morse, Headmaster (Level 3 training completed on the 29th March 2021). rmorse@aysgarthschool.co.uk 01677 451022 - 07500 929729

Deputy Designated Safeguarding Lead: Paul Barlow, Deputy Head Pastoral (Level 3 training completed on the 6th April 2021) pbarlow@aysgarthschool.co.uk 01677 450240 - 07720 705266

Deputy Designated Safeguarding Lead (Pre-Prep & EYFS): Anna Brown, Reception Class Teacher (Level 3 training completed 22nd October 2020) abrown@aysgarthschool.co.uk 01677 450359 - 07740 406182.

Kate Wiggins (PA to Headmaster) also Level 3 trained 29th March 2021.

Alison Grayson - School Nurse also Level 3 trained 7.7.21

Lindz McKee - School Nurse also Level 3 trained 7.7.21

Governor responsible for Safeguarding & Child Protection: Nimble Thompson

Prevent Duty Lead: Robert Morse

Chairman of the Governors: Nimble Thompson. In the event that a child makes an allegation of abuse against the Headmaster, you should report the allegation to the Chairman of the Governors who can be reached on 07971 826424.

Safeguarding Officer (Education/LADO) Karen Lewis, North Yorkshire Children's Social Services and she can be reached on 01609 534200 and 07715 540711 and Dave Peat 01609 535646 or 07814 533363. The Emergency Duty Team can be contacted on 01609 780780. The function of the LADO is to provide advice and preside over the investigation of any allegation or suspicion of abuse directed against anyone working in the school.

Where children are in need or at risk, **the Children's Social Care** team (Northallerton) can be contacted on <http://www.northyorks.gov.uk/article/24230/Contact-us> or on tel: **01609 534527** (Emergency contact line).

The schools Local Safeguarding Children Partnership (LSCP): North Yorkshire Safeguarding Board (NYSCB) can be reached at www.safeguardingchildren.co.uk or via telephone on 0845 034 9410 or 0845 034 9417.

In the case of **Female Genital Mutilation**, it is mandatory for teachers to report to the police cases where they discover that an act of FGM appears to have been carried out (Bedale and Leyburn are contactable through tel. no. 101). Further information can be found at <https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>

Contact details for agency involvement including those for **support and advice about extremism** are the **LA Prevent lead in Prevent priority areas**, the local police force, 101 (the non-emergency police number) and the DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors: 020 7340 7264 and counter-extremism@education.gsi.gov.uk

Policy Statement

Aysgarth School is committed to ensuring the welfare and safety of all the children within the school. All North Yorkshire schools, including Aysgarth School, follow the North Yorkshire Safeguarding Children Partnership procedures. Aysgarth School and their staff form part of the wider safeguarding system for children. This system is described in statutory guidance 'Working Together to Safeguard Children 2018'. The school will, in most circumstances, endeavour to discuss all concerns with parents about their child/ren.

Aysgarth School has a pivotal role to play in multi-agency safeguarding arrangements and will work with social care, the police, health services and other services to promote the welfare of children and protect them from harm. Governing bodies should ensure that the school contributes to multi agency bodies working in line with statutory guidance (Working together to safeguard children). This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to multi-agency plans to provide additional support to children subject to child protection plans. All schools should allow access for children's social care from the host local authority and, where appropriate, from a placing local authority, for that authority to conduct, or to consider whether to conduct, a section 17 (Children Act 1989) or a section 47 (Children Act 1989). The School will, of course, always aim to maintain a positive relationship with all parents.

The school is aware of pupils' needs in Alternative Provision and Elective Home Education. The school will inform the local authority of any deletions from their admission register when a child is taken off roll and where a parent/carer has expressed their intention to remove a child from school with a view to educating at home it is recommended that the school contact the local authority to discuss further actions.

The School's Child Protection Policy is available publicly on the School webpage.

The School issues guidelines to everyone on the prevention of abuse and neglect covering staff supervision of high risk situations, avoidance of inappropriate physical contact between staff and children, avoidance of inappropriately spending time alone with individual children, for example, in one-to-one tuition, sports coaching, conveying a pupil by car, engaging in inappropriate electronic communication with a pupil, and the need for everyone to be vigilant in spotting and reporting clear suspicions that abuse or neglect may be occurring. (See policy titled Staff Code of Conduct which is given to all the staff including temporary staff and volunteers as part of the Aysgarth Induction process).

Aysgarth is dedicated to safeguarding and promoting the health, safety and welfare of all our children which is of paramount importance to all the adults who work in our school. Our children have the right to protection, regardless of age, gender, race, culture, academic or sporting ability or disability. They have a right to be safe in our

school. Where there is a safeguarding concern, the governing body and school leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide.

This duty of care extends to organisations and individuals that rent the premises and the governing body will seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place (including inspecting these as needed); and ensure that there are arrangements in place to liaise with the school or college on these matters where appropriate. The governing body will also ensure safeguarding requirements are included in any transfer of control agreement (i.e. lease or hire agreement), as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement.

Aysgarth is also committed to Safer Recruitment in Education (See Recruitment Policy).

The School has a Designated Safeguarding Lead appointed to promote the educational achievement of children in relation to safeguarding matters. They will consider how children may be taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum. This may include covering relevant issues through personal, social, health and economic education (PSHE), and/or through sex and relationship education (RSE).

The School and Governing Body contributes to multi-agency work in line with statutory guidance Working Together to Safeguard Children 2018.

The School will:

- Work to develop effective links with relevant services to promote the safety and welfare of all pupils. Designated persons regularly attend multi-agency training courses on a range of safeguarding issues.
- Co-operate as required, in line with Working Together to Safeguard Children, 2018, with key agencies in their enquiries regarding child protection matters including attendance and providing written reports at child protection conferences and core groups.
- Notify the local Social Care Unit immediately if:
 - it should have to exclude a pupil who is subject to a Child Protection Plan (whether fixed term or permanently);
 - there is an unexplained absence of a pupil who is subject to a Child Protection Plan
 - there is any change in circumstances to a pupil who is subject to a Child Protection Plan.
- It is the responsibility of all members of staff, teaching and non-teaching, to play an active role in ensuring this and to provide a safe environment in which children can live and learn.

- Data protection fears should not be a barrier to information sharing as the safety of the child should be of utmost importance: “Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children”. Safeguarding children is a process that allows practitioners to share special category personal data, such as sharing information without consent where there is good reason to do so. More information on sharing sensitive data can be found at “[Data protection: toolkit for schools](#)”, which supports schools with data protection activity, including compliance with GDPR.
- Data protection law is not a barrier, but it is a system of checks and balances to bear in mind when recording, sharing, and retaining vital but sensitive data. Schools should ensure that policies, training and practice give staff the confidence to know when, how and to whom they can share sensitive information when dealing with a safeguarding concern - making reference to relevant guidance. Information sharing is vital in identifying and tackling all forms of abuse and neglect, and emerging children's welfare, including the educational outcomes. Schools have clear powers to share, hold and use information for this purpose. [Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers](#).
- The contact details for counsellors, listeners and helplines are displayed around the school and in the children’s diaries.
- The school checks the suitability of all visiting speakers and this is recorded on the SCR.
- The school procedure is that all concerns should be reported to the Designated Safeguarding Lead, however anyone can make a referral to Children’s Social Care. If the allegation concerns the DSL, the person receiving the allegation should immediately inform the Chairman of the Governors (who can be reached on 07971 826424) without notifying the DSL first.
- Where services or activities are provided on the School premises by another body, the body concerned has appropriate policies and procedures in place in regard to safeguarding children and child protection and liaises with the school on these matters where appropriate.

Safeguarding and promoting the welfare of children is defined for the purposes of this policy 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.

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services

for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989

Children includes everyone under the age of 18.

Where a child is suffering significant harm, or is likely to do so, action should be taken to protect that child (Section 47 and section 44 of the Children Act 1989). Action should also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk (Section 17 of the Children Act 1989)

Schools and colleges and their staff form part of the wider safeguarding system for children. This system is described in statutory guidance Working Together to Safeguard Children 2018.

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.

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.

All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments. All staff should also be aware of those who are in need of additional support from one or more agencies. The former should be reported to Children's Social Care immediately; the latter should lead to multi-agency assessment using local processes, including use of the "Common Assessment Framework (CAF)" and "Team around the Child" (TAC) approaches. Although decisions to seek support for a child in need would normally be taken in consultation with parents and pupils, there is no need for their consent for a referral when there are reasonable grounds to believe that a child is at risk of significant harm.

The role of Governors

This policy is reviewed by the governing body and signed off by the Chair of Governors annually.

The Governing board ensures that all board members and staff members undergo safeguarding and child protection training at induction, that will include checking

the training log on an annual basis. This training is regularly updated and is in line with advice and guidance from NYSCP.

The Governing body ensures there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare.

The Governing Body is responsible for undertaking an annual review of the efficiency with which the related duties have been discharged and this takes place at the March Governors meeting. The child protection report and subsequent discussion as to the efficacy of the policies and procedures will be clearly minuted.

The responsible Governor, and in his absence the Chairman of Governors is nominated to liaise with the local authority on issues of child protection. In the case of allegations against the Headmaster or a member of the Governing Body the Chairman of Governors will follow the procedures as outlined in Part 4 of KCSIE 2021.

The Governing Body will ensure that their safeguarding arrangements take into account the procedures and practice of the local authority as part of the multi-agency safeguarding procedures set up by the LSCP. This should include understanding and reflecting local protocols for assessment and the LSCP's threshold document along with supplying information as requested by the LSCP. The school and the governing body recognise the importance of information sharing between professionals and local agencies.

The Governing Body ensures that staff have the skills, knowledge and understanding necessary to keep the pupils safe and recognises the expertise of staff built by undertaking safeguarding training and managing safeguarding concerns on a daily basis. To this end, staff contribute and shape safeguarding arrangements and child protection policy and procedures.

Should the need arise, the Governing Body will appoint a Designated teacher to promote the educational achievement of children who are 'looked after' and to ensure that this person has appropriate training. Furthermore the Governing Body identifies the fact that additional barriers can exist when recognising abuse and neglect in this group of children and the Designated teacher will liaise with the DSL in these cases. This can include:

- *assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;*
- *children with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs; and*
- *communication barriers and difficulties in overcoming these barriers.*

The Governors should take a proportionate risk based approach to the level of information that is provided to temporary staff and volunteers.

The Governing Body has appointed an appropriate senior member of staff, from the school or college leadership team, to the role of Designated Safeguarding Lead (in Aysgarth's case, the Headmaster). The Designated Safeguarding Lead should take lead responsibility for safeguarding and child protection.

The Governing Body will ensure children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum. This may include covering relevant issues through personal, social, health and economic education (PSHE), and through sex and relationship education (RSE). Safeguarding training for staff, including online safety training, is integrated, aligned and considered as part of the whole school safeguarding approach and wider staff training and curriculum planning. This training will be in line with and have regards to Teachers Standards. Further information on the teaching of Relationship and Sex Education can be found at 'Teaching about relationships sex and health'.

Relationship Education (for all primary pupils), RSE (for all secondary pupils) and Health Education (for all state school pupils) is compulsory from September 2020. There is school policy for Relationships Education and RSE, including a procedure surrounding the right to be excused from sex education (which parents can request).

With regard to online safety, whilst it is essential that the Governing Body ensure that appropriate filters and monitoring systems are in place; they should be careful that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regards to online teaching and safeguarding.

The Governing Body will ensure there are procedures in place to handle allegations against teachers, headteachers, volunteers and other staff. Such allegations should be referred to the Designated officer (or Deputies) at the local authority by the appropriate person.

The Governing Body will ensure that the Child Protection policy includes a zero tolerance approach to peer on peer abuse and procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with. The policy should reflect the different forms peer on peer abuse can take, make clear that abuse is abuse and should never be tolerated or passed off as "banter" or "part of growing up". It should be clear as to how victims of peer on peer abuse will be supported.

All staff will reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report

The Governing Body ensures that sexting and the school's approach to it is reflected in the child protection policy.

The Governing Body ensures that the Child Protection policy reflects the different gender issues that can be prevalent when dealing with peer on peer abuse.

At the minimum, the Designated Governor will undertake training in Safer Recruitment and Child Protection.

Designated Safeguarding Lead and Deputy Designated Safety Lead

The designated safeguarding lead (and deputies) is most likely to have a complete safeguarding picture of Aysgarth School

Whilst the activities of the Designated Safeguarding Lead can be delegated to appropriately trained deputies, the ultimate lead responsibility for safeguarding and child protection, as set out above, remains with the Designated Safeguarding Lead. This responsibility should not be delegated.

The DSL will help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and school leadership staff. Their role includes ensuring that the school and staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.

During term time the Designated Safeguarding Lead and or a Deputy should always be available (during school) for staff in the school to discuss any safeguarding concerns. It is a matter for the school and the Designated Safeguarding Lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

In addition to their formal training, as set out above, their knowledge and skills should be updated, (for example via e-bulletins, meeting other Designated Safeguarding Leads, or taking time to read and digest safeguarding developments), at regular intervals, but at least annually, to keep up with any developments relevant to their role.

Aysgarth School appoints two Deputy Safeguarding Leads (Prep and Pre-Prep) who will be trained to the same standard as the Designated Safeguarding Lead.

Further information on the role of the DSL and DDSL can be found in the DSL and DDSL Job Descriptions.

What to do if you have concerns about a child and early help

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.

Wherever possible, there should be a conversation with the designated safeguarding lead (or deputy), who will help staff decide what to do next.

Options include:

- managing any support for the child internally via the school’s own pastoral support processes;
- an early help assessment; or
- a referral for statutory services, for example as the child is in need or suffering or likely to suffer harm

If in exceptional circumstances, the designated safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken.

For further information on sharing information in relation to GDPR and the Data Protection Acts 2018 please refer to the DfE guidance:

‘Information sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers July 2018’

All Aysgarth School staff should be prepared to identify children who may benefit from early help and in such circumstances must always speak to the DSL or deputy DSL. 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. 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.

Any child may benefit from early help, but all school staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is frequently missing/goes missing from care or home;
- is deliberately missing education
- is involved in the consensual and/or non-consensual sharing of nudes and semi-nudes images and/or videos (see UKCIS advice)
- is misusing drugs or alcohol;

- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse; and/or
- has returned home to their family from care

This will be done by completing an Aysgarth School worry form and 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. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services if the child's situation does not appear to be improving or is getting worse.

If early help is appropriate the Designated Safeguarding Lead should support the staff member in liaising with other agencies and setting up an multi-agency assessment as appropriate.

There may be a need for constant review and communication with children's social care if the child's welfare is still a concern.

Online safety and Safeguarding

As schools and colleges increasingly work online it is essential that children are safeguarded from potentially harmful and inappropriate online material. As such, Aysgarth ensures that appropriate filters and appropriate monitoring systems are in place. Please refer to the Technology and E-Safety Policy for further details.

The school ensures online safety is included in relevant lessons. Children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum.

The breadth of issues classified within online safety is considerable, but is best categorised into the four areas of risk (the 4 Cs):

- content: being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- contact: being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes'.
- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying;
- commerce - risks such as online gambling, inappropriate advertising, phishing and or financial scams

Although appropriate blocking is essential, it should not be so encompassing that it would restrict children's learning.

Looked after children

- All staff should have awareness of issues around safeguarding looked after children. The most common reason for children becoming looked after is as a result of abuse and/or neglect. Staff need to be aware of the legal status of a looked after child's care arrangements. In particular, they should ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. They should also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The Designated Safeguarding Lead should have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

The designated teacher should also work with the virtual school head to promote the educational achievement of previously looked after children.

A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken on concerns to safeguard these children, who are a particularly vulnerable group

- The virtual teacher (SEND) will work with the virtual school Head to discuss how funding from the local authority can be best used to support the progress of looked after children in the school and meet the needs identified in the child personal educational plan.

On commencement of sections 4 to 6 of the Children and Social Work Act 2017, designated teachers will have responsibility for promoting the educational achievement of children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales.

Prevent Duty

- The school has a duty to prevent people being drawn into terrorism (The Prevent Duty) and therefore seeks guidance from the Counter Terrorism and Security Act 2015. The school has completed a Risk Assessment in accordance with The Prevent Duty 2015. Everyone will receive training on Prevent Duty

from the Prevent Duty Lead who will also feed back any relevant information to the Governing Body who have put in place appropriate safeguarding responses to children missing from education. The Prevent Duty Lead is also responsible for considering the level of risk, implementing procedures and identifying the most appropriate referral which could include Channel or Children's Social Care as set out in KCSIE 2021.

- The Aysgarth School framework will be inspected on and reported on, through the Independent Schools Inspectorate.

Key points to Prevent Duty

- Normal referral processes are also available when there are concerns about children who may be **at risk of being drawn into extremism, radicalisation and terrorism**.
- Although decisions to seek support for a child in need, or about whom there are concerns relating to **radicalisation**, would normally be taken in consultation with parents and pupils, there is no suggestion in the school policy that their consent is required for a referral when there are reasonable grounds to believe that a child is at risk of significant harm.

Contact details for agency involvement including those for **support and advice about extremism** are the **LA Prevent lead in Prevent priority areas**, the local police force, 101 (the non-emergency police number) and the DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors: 020 7340 7264 and **counter-extremism@education.gsi.gov.uk**

Further information on Prevent Duty can be found in:

Countering Bullying Policy
Staff Code of Conduct
Induction Policy
AUP policy for Staff & Pupils

Training & Education

- The training of the DSL and DDSLs is in accordance with locally agreed procedures and matches the description set out in KCSIE 2021 Annex B.
- The DSL will make prompt contact with Children's Social Care where there are concerns that a child may be in need of help or at risk and/or with the LADO in relation to someone working in the school and/or with the police if a criminal act is suspected. Local authorities should share with the DSL the information that a child has a social worker. (see KCSIE 2021 Annex C).
- Everyone reads (and signs to confirm they have understood) Part 1 of KCSIE 2021 and Annex B, and the DSL, DDSLs, SMT and Safeguarding Governor will read part 2. For staff who cannot read English, or at all, the school will ensure that they understand key information. Each time Part 1 of KCSIE 2021 is updated by the DfE, existing staff must be updated.

- The Designated Safeguarding Lead is to receive updated child protection training at least every two years.
- Everyone must be trained in child protection regularly, in line with advice from the LSCP.
- Staff are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school.
- Staff should be aware of Contextual Safeguarding; it is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships. Therefore children's social care practitioners need to engage with individuals and sectors who do have influence over/within extrafamilial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse in a range of social contexts.
- Everyone including temporary staff and volunteers, must be provided with induction training that covers-
 - a copy of the school's child protection policy
 - a copy of the staff code of conduct (including staff/pupil relationships)
 - a copy of the acceptable use of technology (including online safety, and communications such as social media)
 - a copy of the behaviour policy
 - a copy of the children missing from education policy
 - a copy of the whistleblowing policy
 - the identity of the DSL and Deputies and information regarding their roles
 - a copy of Part 1 of KCSIE 2021 and Annex A

The Designated staff are responsible for:

Procedure

- Holding and being conversant with current local and national Child Protection procedures.
- Keeping up to date through training. It is a requirement that this takes place at least every two years.
- Reviewing and updating the School's Safeguarding and Child Protection Policies and multi agency working. Any deficiencies or weaknesses in the policies and procedures must be remedied without delay.
- Liaison over safeguarding matters with the local Children's Social Services.

Raising Awareness

- Ensure the school's Child Protection Policy is reviewed annually and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors 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 in this.
- Link with the NYSCP to make sure staff are aware of training opportunities and the latest local policies on safeguarding.
- Where children leave the school, ensure their child protection file is copied for any new school or college as soon as possible but transferred separately from the main pupil file. The school will retain the original CP file until the child's 25th birthday along with a record of when and to which establishment the copy was sent. If a child goes missing or leaves to be educated at home, then the child protection file should be copied and the copy forwarded to the Principal Education Social Worker, County Hall, Northallerton, DL7 8AE.
- Brief and guide teaching and non-teaching staff on Safeguarding matters This includes the briefing of new staff as part of their induction, as well as part-time, visiting and voluntary staff.
- Keeping close contact with everyone and maintaining awareness of Safeguarding and the need to raise any concerns immediately with the School's DSL.
- Ensuring that the Safeguarding procedures are followed within the School, that each member of staff has access to the procedures and has an understanding of them.
- The Safeguarding procedures must be available to parents of children in the School.
- DSL and DDSLs will coordinate with teachers, members of the leadership team and local authorities (as well as any other relevant statutory agencies) to link up safeguarding and academic support for pupils, in particular those identified as having increased risk or in need of additional support.

Staff Training

- 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.
- All staff members as part of their induction process receive training on
 - the school's child protection policy
 - the staff code of conduct (including staff/pupil relationships)
 - acceptable use of technology (including online safety, and communications such as social media)
 - the behaviour policy

- children who go missing from education
- the whistleblowing procedure
- the identity of the DSL and Deputies and information regarding their roles
- a copy of Part 1 of KCSIE 2021 and Annex B
- Child protection training is renewed as specified by the LSCP, with everyone receiving refresher training at least once every three years. The previous set of formal training was completed 04.09.2018. The next set of formal training is due in 2021.

Specific safeguarding arrangements must be given to the following:

In order to ensure that their behaviour and actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil, staff should avoid getting into the following situations:

- In one-to-one tuition or discussions with a child 1:1, make sure that the door is open and/or there is a window in the door and make sure that a colleague knows you are there
- In sports coaching make sure you do not touch a child inappropriately
- Try to avoid conveying a pupil by car on your own
- Do not engage in inappropriate electronic communication with a pupil. Seek guidance from the DSL before linking with pupils using social media. Please see the Staff Code of Conduct for further guidance on this.

Education

- All pupils at Aysgarth are taught about safeguarding, including safety online and resilience to radicalisation through the curriculum, PSHE and ICT syllabus and the REW scheme of work. Particular attention is paid to school practices to help the pupils adjust their behaviours in order to reduce risks, including the safe use of electronic equipment and the internet. These practices are age appropriate and delivered through a planned component of the curriculum. Pupils are educated on the risks posed by adults or young people, who use the internet and social media to bully, groom or abuse other people, especially children, young people and vulnerable adults
- More information on this can be found in the following policies
 - Countering Bullying Policy
 - Technology Policy

The latest resources promoted by DfE can be found at:

- Part 3 - Welfare, health and safety of pupils Integrated Handbook – Regulatory Requirements effective September 2020
- DfE Briefing on the use of social media for online radicalisation
- Independent Schools Inspectorate The UK Safer Internet Centre (www.saferinternet.org.uk)
- CEOP's Thinkuknow website (www.thinkuknow.co.uk)

Key Points

- All members of staff are expected to be aware of and follow the safeguarding procedures. In particular, they need to be aware:
 - Of their duty to report concerns,
 - That they must read through Part 1 of Keeping Children Safe in Education 2021 and Annex B
 - Of the guidance for identifying child abuse and neglect,
 - Of what to do if a child makes an allegation of child abuse or neglect and issues about confidentiality,
 - That they must obtain assurance from any staff employed by another organisation and/or working with the School's pupils on another site (for example, in a separate institution) that appropriate child protection checks and procedures are undertaken in accordance with the School policy.
 - That in addition to working with the Designated Safeguarding Lead, staff members may be asked to support social workers to make decisions about individual children.
 - That there are circumstances when it is appropriate for staff in schools and colleges to use reasonable force. (Please refer to Physical Restraint Policy)
 - That the school does not arrange any homestay visits
- Temporary and voluntary staff are made aware of the School's Child Protection arrangements.
- 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 interests of the child.
- 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 Children's Social Care. More information on the threshold levels are available at Keeping Children Safe In Education 2021.
- A child going missing from education is a potential indicator of abuse or neglect. School staff members should follow the school's procedures for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future.
- There is a need to deal with abuse by one or more pupils against another pupil when there is 'reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm' including that any such abuse will be referred to local agencies. It would be an expectation that in the event of disclosures about pupil on pupil abuse that all children involved, whether perpetrator or victim, are treated as being "in need or at risk".
- Within boarding there is potential for abuse by peers and all boarding staff carefully monitor the relationships within the boarding house; any concerns are raised on a daily basis and discussed at the weekly boarding meeting.

The 'Behaviour management and promoting positive behaviour policy' and the 'Promoting positive behaviour in boarding (Parents' guide to boarding)' provide guidance on:

- measures to combat bullying
- school rules
- disciplinary sanctions
- physical restraint (see separate policy) arrangements for searching pupils and their possessions (see separate policy)
- Members of the School do not investigate serious allegations or concerns of child abuse or neglect themselves as serious allegations will be reported to North Yorkshire Children's Social Care (CSC) and, if necessary, the Police.
- Safeguarding is integrated into the School ethos. The School operates Safe Recruitment procedures, follows the Independent Schools Standard Regulations and has a well established anti-bullying policy.
- There are restrictions placed on mobile phones and cameras. These are detailed in the Staff Code of Conduct Policy. Mobile phones and personal cameras are not permitted in the Early Years Foundation Stage (Nursery and Reception) except on outings or when making emergency calls Further guidance on this can be found in the Taking, storing and using images policy including EYFS.
- Where the school is concerned about the safeguarding of a child but has not felt the need to make a referral, the child is placed on the School's Causes for Concern register so that the situation can be monitored.

Abuse:

- Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child.
- All Aysgarth school 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.
- All staff should have an awareness of safeguarding issues. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.
- Staff should recognise that children are capable of abusing their peers.
- All staff should be aware safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), gender based violence/sexual assaults and sexting.
- For further information please see Aysgarth School Policy on peer on peer abuse.

Categories of Abuse and Neglect

Physical abuse is 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.

Emotional abuse is 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.

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.

Neglect is 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.

Signs of abuse: Some signs of abuse may include: depression, low self-esteem, shyness, poor academic achievement, isolation, self-harm, neurosis, unusual wounds, eating disorders, and excessive behaviour. Most frequently changes in behaviour can be an indicator.

The school also recognises and is aware of other types of abuse or harm which may be significant to its current social composition or situation such as 'looked after children', mental health, body image issues, self harm, children missing from education, radicalisation, CSE or FGM.

Mental Health

In the case of mental health only professionals should diagnose mental health problems, staff are well placed to identify behaviour which may indicate that a child is experiencing mental health problems or is at risk of developing one. Staff should immediately raise any mental health concerns which are *also* safeguarding concerns with the Designated Safeguarding Lead (DSL) or deputy, and follow their child protection policy. The senior mental health role is held by the Senior Deputy Head and Deputy Head Pastoral.

Staff are aware of how adverse experiences, like abuse and neglect, can have a lasting impact on a child's mental health, behaviour and education.

Further information can be found at [Mental Health and Behaviour in Schools](#) which sets out the best practice in this area and Public Health England's guidance on promoting children and young people's emotional health and wellbeing.

The school recognises their role in supporting their pupils' mental health, and have clear systems and processes in place for identifying possible problems, including routes to escalate concerns and clear referral and accountability systems.

Policies and procedures are regularly reviewed to ensure they include clear information on how to identify and manage mental health problems, and that mental health is a possible indicator of safeguarding concerns. Staff have received training on how to identify behaviour which may indicate that a child is experiencing mental health problems or is at risk of developing one.

The school incorporates Mental Health education into the PSHE programme and is linked to the Teenagers Translated programme of study, STEER and the teaching of FOOTPRINTS. The school nurse and school counsellor are also part of the Mental Health provision and have strong pastoral links with the Form Tutors and Boarding

staff. Further information can be found in the government document - Mental health and behaviour in school.

In the case of **Female Genital Mutilation**, from October 2015, it has been mandatory for teachers to report to the police cases where they discover that an act of FGM appears to have been carried out (Bedale and Leyburn are contactable through tel. no. 101).

Further information can be found at

<https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>

A girl or woman who has experienced FGM may (From NSPCC):

- have difficulty walking, sitting or standing
- spend longer than normal in the bathroom or toilet
- have unusual behaviour after an absence from school or college
- be particularly reluctant to undergo normal medical examinations
- ask for help, but may not be explicit about the problem due to embarrassment or fear.

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.

Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take

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.

Children with special educational needs and disabilities

All staff must be aware that children with special educational needs and disabilities are more prone to peer group isolation than other children and to address these additional challenges the school and staff should consider extra pastoral support for children with SEN and disabilities.

Staff should recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online.

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

Staff are made aware of these terms and given training on how to identify CSE and CCE and their effects on a child.

Child sexual exploitation

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

Like all forms of child sex abuse, child sexual exploitation can affect any child or young person (male or female) and can still be abuse even if the sexual activity appears consensual;

Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

CSE can occur over time or be a one-off occurrence, and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media.

CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship

Signs of child sexual exploitation can include the child or young person :

- going missing for periods of time or regularly returning home late
- skipping school or being disruptive in class
- appearing with unexplained gifts or possessions that can't be accounted for
- experiencing health problems that may indicate a sexually transmitted infection
- having mood swings and changes in temperament
- using drugs and/or alcohol
- displaying inappropriate sexualised behaviour, such as over-familiarity with strangers, dressing in a sexualised manner or sending sexualised images by mobile phone ("sexting")

- they may also show signs of unexplained physical harm, such as bruising and cigarette burns

Although multi agency working and information sharing are vital in identifying and tackling all forms of abuse, it is clear they are especially important to identify and prevent child sexual exploitation.

Child Criminal exploitation

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. Other forms of CCE could include Modern Slavery where victims should be referred to National Referral Mechanism.

CCE occurs where a power imbalance is used to coerce, manipulate or deceive a child into sexual or criminal activity.

Like other forms of abuse and exploitation, CCE:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years; can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both girls and boys being criminally exploited may be at a higher risk of sexual exploitation.

Domestic abuse

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

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

Serious Violence

All staff should be aware of the indicators, which may signal children are at risk from, or are involved with serious violent crime.

These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation

Homelessness

Staff need to be aware of the safeguarding arrangements made for those homeless with their families and also 16 and 17 year-olds who are living independently from their parents or guardians.

Identifying vulnerable individuals who may be susceptible to radicalisation.

Extremism goes beyond terrorism and is defined in the Government's Counter Extremism Strategy as vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of armed forces as extremism. Extremists often target the vulnerable – including the young – by seeking to sow divisions between communities on the basis of race, faith or denomination; justifying discrimination towards women and girls; seeking to persuade others that minorities are inferior; or arguing against the primacy of democracy and the rule of law in our society.

There is no single way of identifying who is likely to be vulnerable to being drawn into terrorism. Factors that may have a bearing on someone becoming vulnerable may include: peer pressure, influence from other people or via the internet, bullying, crime against them or their involvement in crime, anti social behaviour, family tensions, race/hate crime, lack of self esteem or identity and personal or political grievances.

Child on child sexual violence and sexual harassment

The departmental advice, when referring to sexual violence refers to sexual offences as described under the Sexual Offences Act 2003. 104 This includes: rape, assault by penetration and sexual assault. The advice sets out that sexual harassment is ‘unwanted conduct of a sexual nature’ that can occur online and offline. It is likely to violate a child’s dignity, and/or makes them feel intimidated, degraded or humiliated and/or creates a hostile, offensive or sexualised environment. Sexual violence and sexual harassment is not acceptable and will not be tolerated.

Sexual violence and sexual harassment can occur between two children of any sex and any age. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. The school should respond to all reports and concerns of a child on child sexual violence and sexual harassment, including those that happened outside of the school premises, and online. The school should respond to all reports and concerns of a child on child sexual violence and sexual harassment, including those that happened outside of the school premises, and online.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Staff should consider the following:

It is more likely that girls will be the victims of sexual violence and more likely that sexual harassment will be perpetrated by boys. Schools and colleges should be aware of the importance of:

- Making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- Not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- Challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts, vaginas and penises. Dismissing or tolerating such behaviours risks normalising them.
- Children with Special Educational Needs and Disabilities (SEND) can be especially vulnerable. Disabled and deaf children are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children.

Responding to reports of sexual violence and sexual harassment

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Preplanning, effective training and effective policies will provide schools and colleges the foundation for a calm, considered and appropriate response to any reports.

There are four likely scenarios for schools to consider when managing any reports of sexual violence and/ or sexual harassment. These include:

1. Manage Internally
2. Early Help
3. Referrals to social care
4. Reporting to the Police

Further details of these four scenarios can be found in in section 5 of KCSIE 2021

Effective safeguarding practice is for schools and colleges to be clear, in advance, as to what local processes are in place and what local support can be accessed when sexual violence or sexual harassment has occurred. It is important to prepare for this in advance of a reported incident and review this information on a regular basis to ensure it is up to date. As such:

- If required, the designated safeguarding lead (or a deputy) should discuss the local response to sexual violence and sexual harassment with police and children's social care colleagues in order to prepare the school or college's policies (especially the child protection policy) and responses; and
- The designated safeguarding lead (and their deputies) should be confident as to what local specialist support is available to support all children involved (including the victims and perpetrators) in sexual violence and sexual harassment and be confident as to how to access this support when required.

The school's initial response to a disclosure from a child is important. It is essential that victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, schools and colleges should be aware of anonymity, witness support and the criminal process in general so they can offer support and act appropriately. In addition to the legal protections, as a matter of effective safeguarding practice, schools and colleges should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be in place for the children involved.

Action following a report of sexual violence and/or sexual harassment
Schools should consider:

- the wishes of the victim in terms of how they want to proceed
- the nature of the alleged incident
- the ages of the children involved

- the development stages of the children involved
- any power imbalance between the children
- is the incident a one-off or a sustained pattern of abuse
- are there ongoing risks to the victim, other children, school or college staff
- contextual safeguarding issues

It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school should decide on a course of action. Consideration should be given to whether there are wider cultural issues within the school that enabled the inappropriate behaviour to occur.

Safeguarding and supporting the victim:

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim.

- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Schools and colleges should be aware that by the very nature of sexual violence and sexual harassment a power imbalance is likely to have been created between the victim and alleged perpetrator.
- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school or college is a safe space for them.
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is no guilty verdict, the school should continue to offer support to the victim and the alleged perpetrator(s) for as long as necessary.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault the alleged perpetrator should be removed from any classes they share with the victim. The school or college should also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school or college premises and on transport to and from school or college where appropriate. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of the alleged perpetrator. Close liaison with the police is essential. Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the school or college should take suitable action, if they have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to

constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school or college would seriously harm the education or welfare of the victim (and potentially other pupils). Where a criminal investigation into sexual assault leads to a conviction or caution, the school or college should, if it has not already, consider any suitable sanctions in light of their behaviour policy, including consideration of permanent exclusion. Where the perpetrator is going to remain at the school or college, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on school and college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Safeguarding and supporting the alleged perpetrator

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the alleged perpetrator:

- The school will have a difficult balancing act to consider. On the one hand to safeguard the victim (and the wider student body) and on the other hand providing the alleged perpetrator with an education, safeguarding support as appropriate and implementing any disciplinary sanctions.
- Consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. An alleged perpetrator may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviour in young children may be a symptom of either their own abuse or exposure to abusive practices and or materials. Advice should be taken, as appropriate, from children's social care, specialist services and the police.

The school has a separate policy on peer on peer abuse but the key components are set out below:

All staff should be aware that children can abuse other children (often referred to as peer on peer abuse) and that it can happen both inside and outside of school or online.

All staff understand that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have any concerns regarding peer on peer abuse they should speak to the designated safeguarding lead (or deputy).

All staff understand the importance of challenging inappropriate behaviours between peers that are abusive in nature. Downplaying certain behaviours, for example

dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery);
- upskirting, which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

If a pupil has been unkind, staff members must complete a bullying sheet and hand it to DSL or DDSL who will record the incident in the bullying folder. This bullying folder will keep an ongoing record of unkindness and possible bullying within the school.

If a definite action of bullying or abuse has occurred between peers then this must be reported immediately to the Senior Deputy Head or Headmaster.

The DSL will take any further action required which may include a referral to children's social services or the Police.

Children 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. A child going missing from education is a potential indicator of abuse or neglect. Aysgarth staff must report any concerns to the DSL to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future.

For further information see the school's policy on 'Children Missing from Education'.

Illegal bullying

Some forms of bullying are illegal and should be reported to the police and become a child protection issue

‘A bullying incident should be treated as a child protection concern when there is reasonable cause to believe that a child is suffering or likely to suffer significant harm’ (words taken from ISI Regulatory Handbook).

For further information on the threshold of reporting a bully to outside agencies, please refer to <https://www.gov.uk/bullying-at-school/reporting-bullying>

Guidance for receiving a disclosure

What to do when a child wants to tell you about something that has happened :

- Listen very carefully.
- Do not promise confidentiality.
- Ask ‘open’ questions like ‘can you tell me what has happened’, and avoid any leading questions like ‘Did he/she do X to you?’
- Make written notes as soon as possible, including anything that you have said and including the child’s actual words.
- Do not take it upon yourself to investigate what the child has told you.
- Do not tell the person about whom the child has complained.
- You 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 Partnership
- If you have any concerns about a child then you need to contact the Head, who is the Designated Safeguarding Lead, and if he is not available, one of the Deputy DSLs (the Pre-Prep Safeguarding Deputy or Pastoral Deputy Head as appropriate).
- 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.
- Whenever possible, there should be two adults present. If this is not possible due to the circumstances in which the matter is first brought to your attention, then a second adult should be involved as soon as possible thereafter, with a note made explaining the initial circumstances when

only one adult was present. The second adult can assist in note taking.

Writing a report on what you have been told (use CPOMS or Aysgarth worry form)

Records should include:

- a clear and comprehensive summary of the concern
 - Note the date, time and your name
 - Note the 'who/what/where/when' of the allegation.
 - Reflect on why you have logged the incident.
- details of how the concern was followed up and resolved
- a note of any action taken, decisions reached and the outcome.
- If in doubt about recording requirements please speak with the DSL or DDSL.
- When using CPOMS staff must click the 'inform Child Protection Team' tab so that the report is sent immediately to the team. If using a worry form please hand it to the DSL or Deputy DSL.

Duty to Report

- Any member of staff who either knows of, is told of, witnesses or suspects any incident of abuse, physical, emotional or sexual abuse or neglect occurring in the School, or to a child of the School at home or outside the School, must report the information the same day to the Designated Safeguarding Lead. It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report or a member of school or college staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. If staff have any concerns about a child's welfare, they should act on them immediately rather than wait to be told.
- If, at any point, there are concerns that a child may be in need of help or is at risk of immediate serious harm, a referral should be made to Children's Social Care immediately. If a criminal offence is suspected the police should also be contacted.
- If a child's situation does not appear to be improving the staff member with concerns should press for reconsideration. Concerns should always lead to help for the child at some point.
- In the absence of the DSL, the immediate report should be made to the Deputy Designated Safeguarding Lead.
- If the allegation or suspicion is about the Headmaster, the report should be made to the Chairman of the Governors or the governor with safeguarding responsibility. An allegation or suspicion can also be made to the Deputy Designated Safeguarding Lead.

- Child abuse to be reported includes abuse of a child by a staff member or other adult, abuse at home which a child or anyone else reports to staff, abuse by a stranger outside school, and abuse of one child by another child. In this case of abuse by a child, or group of children, the key issues identifying the problem as abuse (rather than an isolated instance of bullying which might be better dealt with under discipline guidelines) are:
 - The frequency, nature and severity of the incident(s).
 - Whether the alleged incident involved a potentially criminal act and whether if the same incident (or injury) had occurred to a member of staff or other adult, it would have been regarded as assault or otherwise actionable.
 - Whether the victim was coerced by physical force, by fear, or by a child or group of children significantly older than him or her, or having power or authority over him or her.
 - When there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm.

Investigations into child abuse are always externally managed

- Members of the School do not investigate reports of abuse, physical, emotional or sexual abuse or neglect themselves. It may be appropriate for the DSL to clarify whether the allegations merit investigation and this should be discussed with the Local Preventive Service or the Children's Social Care (CSC). The LADO must also be contacted if it includes an educational /school management issue.
Alleged victims, perpetrators, those reporting abuse and others involved will not be interviewed by members of staff beyond the point at which it is clear that there is an allegation of abuse.
- The interviewing of children and adults will be carried out by specially trained staff only, such as the personnel from the CSC or Police, following procedures in line with government requirements and in the light of the recommendations of past inquiries into the handling of child abuse issues.
- The School acknowledges that its policy will inevitably lead to some investigations being triggered which do not substantiate the allegations made, as well as those that do.
- It is a basic assumption that it is better to endure some 'false alarms' than to fail to initiate specialist investigation of instances of real abuse or neglect.

Confidentiality

- We regard all information relating to individual child protection issues as confidential, and we treat it accordingly. We pass information on to appropriate persons only.
- We comply with guidance issued from the LA, with regard to confidentiality. The files we keep on children are open to those children's

parents. Information from third parties will not be disclosed without their prior consent unless there are overriding considerations which can be clarified in discussion with the CSC or Police. Access to these files may be withheld in certain prescribed cases where there are instances of actual or alleged abuse. Working notes are not subject to disclosure, but will be summarised and then kept on file.

- Adults at the School should never give absolute guarantees of confidentiality to children or adults wishing to tell them about something serious. This is to prevent harm to themselves or others.
- They should however, assure the child or adult that:
 - They will only pass on information to the minimum number of people who must be told in order to ensure that the proper action is taken.
 - They will never tell anyone who does not have a clear 'need to know' in order to protect or promote the welfare of the child.
 - They will take whatever steps that they can to protect the informing child or adult from any retaliation or unnecessary stress that might be feared after a disclosure of alleged abuse has been made.

When an Allegation is passed on

On receiving an allegation of abuse, physical abuse, emotional abuse or sexual abuse or neglect, including alleged abuse by one or more pupils against another pupil, the Designated Staff or the Governor with specific responsibility for safeguarding, should:

- Take steps needed to protect any child involved from risk of immediate harm. This may involve allocating an appropriate member of staff, as far as possible a person chosen by the child him/herself, to stay with him or her. Similarly an Inspector receiving an allegation of abuse at the school may stay with the child concerned until suitable arrangements for his or her protection are made.
- Not interview or investigate the allegation further, but refer the matter within one working day to the local CSC. He or she should speak personally to the LADO or Customer Services Centre and not rely on leaving a message.
- Consult the CSC and follow his or her advice about contacting parents, other staff, police, doctor or alleged perpetrator or witnesses direct. Agree with the Team Manager any necessary next steps in relation to:
 - Informing a child's parents (there are circumstances where it would be inappropriate to inform parents immediately an allegation has been made).
 - Medical examination or treatment for the child (again, there are circumstances where medical evidence will be needed). Immediate protection may be needed for a child who has been the victim of abuse.

- Take immediate and appropriate steps to protect the child who has given information about abuse and any child against whom an allegation has been made (each of these may now be in need or at risk).
- Not inform other people at the school (including any other member of staff) of the allegation and its investigation. Experience has shown that knowledge of an allegation or impending investigation can lead to a serious risk to the informant from the alleged perpetrator, or compromising Police investigations by ‘covering up’ or destruction of evidence that may be sought by Police such as collections of child abuse images, or to pressure being applied to others to remain silent.
- Inform the child or adult who made the initial allegation of what the next steps are to be, having agreed these with the CSC and/or Police.
- Inform the Headmaster (DSL) (unless he is the subject of the allegations or suspicions) of the allegations and the action taken as above, and agree necessary further action in line with these standards.
- The Headmaster (DSL) makes the decision whether to suspend from duty, pending investigation, any staff member who is alleged to have abused a child or children. The advice of the LADO will be sought.
- Take any steps for the longer term protection and support of each child who has made allegations of abuse, or is alleged to have suffered from abuse, taking his or her wishes into account.
- Whenever possible, there should be two adults present at any investigatory and follow-up meetings with a child under this Policy. If this is not possible due to the circumstances in which the matter is first brought to attention, then a second adult should be involved as soon as possible thereafter, with a note made explaining the initial circumstances when only one adult was present. The second adult can assist in note taking.
- ‘Whistle-blowing’; in instances where an allegation has been made in good faith by any person or persons, such persons have complete immunity for their actions. 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.uk.

Allegations against staff, volunteers, or the Designated person with responsibility for safeguarding.

- Allegations against staff or volunteers should be reported to the Head (DSL). If the Head is absent, the allegation should be passed to Deputy DSL(s). If the allegation concerns the Head, the person receiving the allegation should immediately inform the Chairman of the Governors (who can be reached on 07971 826424) without notifying the Head first. These procedures follow Part 4 of KCSIE 2021. Where a staff member feels unable to raise an issue with their employer, or feels general concerns are not being addressed, other whistleblowing channels may be open to them:
 - Please see whistleblowing policy

- Contacting NSPCC is available as an alternative route to raise concerns about a child. Staff can call 0800 028 0285 from 8am to 8pm, Monday to Friday or email help@nspcc.org.uk
- If an allegation is made against a teacher all unnecessary delays should be eradicated. Schools must not undertake their own investigations of allegations without prior consultation with the local authority Designated officer (LADO), or in the most serious cases, the Police, so as not to jeopardise statutory investigations. In borderline cases, discussions with the LADO can be held informally and without naming the school or individual.
- From 1 October 2012, there are restrictions on the reporting or publishing of allegations against teachers and so schools must make every effort to maintain confidentiality and guard against unwanted publicity. These restrictions apply up to the point where the accused person is charged with an offence, or the DfE/TRA (Teaching Regulatory Agency) publish information about an investigation or decision in a disciplinary case.
- The school will inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children at the premises (whether the allegation relates to harm or abuse committed on the premises or elsewhere), or any other abuse which is alleged to have taken place on the premises, and of the action taken in respect of these allegations. This will be undertaken as soon as reasonably practical but at the very latest within 14 days.
- Allegations could include that anyone working in the school, including supply teachers, volunteers and contractors has:
 - behaved in a way that has harmed a child, or may have harmed a child and/or;
 - possibly committed a criminal offence against or related to a child and/or;
 - behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
 - behaved or may have behaved in a way that indicates they may not be suitable to work with children (including behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children, this is known as transferable risk).

Staff will report any allegations of such behaviour following the appropriate procedure.

When an allegation is made against a member of staff:

- The School will report it to the LADO immediately and within one working day at the very latest, even if the School has ceased to use that person's services. The LADO's advice will be followed from that point forward.
- If the member of staff concerned is resident in the school building, then the School will make arrangements for such member of boarding staff to be provided alternative accommodation off-site pending an investigation of a child protection nature.

- If appropriate, the member of staff who is the subject of the allegation may be suspended pending the outcome of any investigations.

Managing allegations against supply teachers

*(Aysgarth does not employ supply staff)

Supply teachers are explicitly included in the guidance as members of staff who may pose a risk of harm to children, even though they are not directly employed by the school and the disciplinary procedures do not fully apply to them. Allegations against supply teachers will be treated as per the policy for staff. The Governing body/Headmaster who supervises, directs and control supply teachers whilst they are working at a school – will discuss with the agency whether it is appropriate to suspend or redeploy the supply teacher to another part of the school whilst investigating the allegation. The school will inform the supply agency of its process for managing allegations, and agencies will be fully involved and co-operate with the LADO's enquiries. The school is expected to handle the allegation as they are best placed to collect facts and information required for the referral process. The school should ensure relevant policies and procedures include references to supply teachers and how allegations against them will be handled. Supply agencies should be made aware of any changes and appropriately trained on how to be involved in the process, including how to co-operate with the LADO's enquiries.

Dealing with allegations of abuse against teachers and other staff

(ref: KCSIE 2021 Part 4 pages 81-99)

- 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 may pose a risk of harm to children.
- This part of the guidance relates to members of staff and volunteers 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.

- These procedures need to be applied with common sense and judgement.
- 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;
 - Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.
- 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.
- Records must be kept of all other allegations but any that are not substantiated, are unfounded or malicious should not be referred to in employer references.
- With regard to the EYFS, in the case of an allegation against persons living or working at the premises, or of any other abuse alleged to have taken place on the premises the school will inform Ofsted as soon as practicable and within 14 days at the latest.
- In response to an allegation, staff suspension should not be the default option. An individual should only be suspended if there is no reasonable alternative. If suspension is deemed appropriate, the reasons and justification should be recorded by the School and the individual notified of the reasons by the School.
- The school must make a referral to the Disclosure and Barring Service should any person (whether employed, contracted, a volunteer or student) cause harm (meeting KCSIE 2021 criteria) or pose a risk of harm to a child. This includes where an individual is deployed to another area of work that is not regulated activity, or they are suspended.
- Where a teacher has been dismissed (or would have been dismissed had he or she not resigned) and a prohibition order may be appropriate, because of ‘unacceptable professional conduct’, ‘conduct that may bring the profession into disrepute’ or a ‘conviction at any time for a relevant offence’ the school must consider whether to refer the case to the Secretary of State (via the Teaching Regulation Agency).
Details about how to make a referral to the Teaching Regulation Agency can be found on GOV.UK and advice can be found on the TRA website.
- Ceasing to use a person’s services includes: dismissal; non-renewal of a fixed-term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by

contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering. It is important that reports include as much evidence about the circumstances of the case as possible. Failure to make a report constitutes an offence. 'Compromise agreements' cannot be used to prevent a referral being made to the DBS when it is legally required nor can an individual's refusal to cooperate with an investigation.

- 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), children's social care or the police.

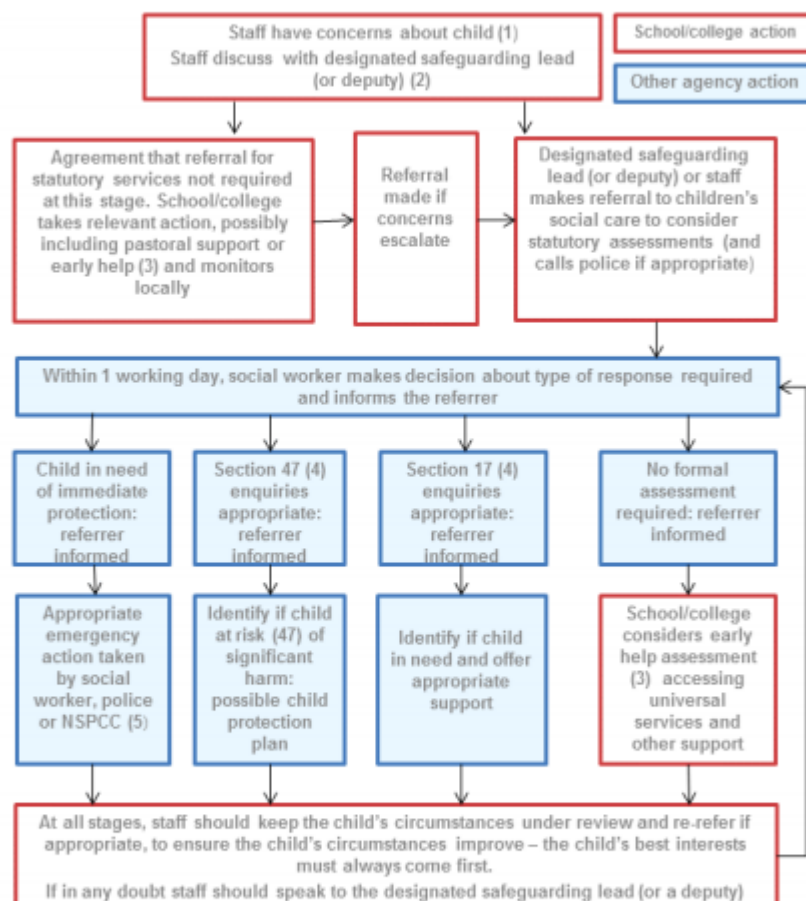
Disciplinary Action

- The School should consider taking, and if necessary will take, disciplinary action against any member of staff or agent of the school where it is believed that children are at risk of abuse from that member of staff, even in cases where there is to be no criminal prosecution.

Low Level Concerns

- Please see separate Low Level Concerns Policy

Actions where there are concerns about a child



- (1) In cases which also involve an allegation of abuse against a staff member, see Part four of this guidance.
- (2) If, for any reason, the designated safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken
- (3) Chapter 1 of [Working together to safeguard children](#) provides detailed guidance on the early help process.
- (4) 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 section 17 and section 47 assessment. Chapter 1 of [Working together to safeguard children](#) provides detailed guidance on statutory assessments.
- (5) This could include applying for an Emergency Protection Order (EPO).

Robert Morse

September 2021