

# The American School in London

## Safeguarding and Child Protection Policy

*The current version of any policy, procedure, protocol or guideline is the version held on the ASL website. It is the responsibility of all employees to ensure that they are following the most up-to-date version.*

<b>Responsible party</b>	Designated safeguarding lead
<b>Approved by</b>	Board of Trustees
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## Safeguarding and Child Protection Policy

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### **The role of the DSL is to:**

- Report directly to the Head of School and keep them informed of any safeguarding issues
- Liaise with local authority case managers and designated officers for child protection concerns as appropriate
- Discuss the local response to sexual violence and sexual harassment with police and local authority children's social care colleagues to prepare the school's policies
- Be aware of local specialist support available to support all children involved (including victims and alleged perpetrators) in sexual violence and sexual harassment, and how to access this support
- Ensure that children have an 'appropriate adult' to support and help them in the case of a police investigation or search

### **Safeguarding at ASL**

ASL follows the UK government's statutory guidance [Keeping children safe in education](#) (KCSIE), and [Working Together to Safeguard Children](#)

### **Scope**

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment—online and in person;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes;
- protecting children's mental health.

This document describes the policies and procedures that ASL has in place to provide for all aspects of safeguarding. The measures described in this policy should be applied in all settings, including professional and personal interactions with students and primary carers, and are relevant to all adults who are in contact with children directly or indirectly and who undertake paid or regular volunteer work for ASL, or deliver services as part of a contractual agreement with an external organization. For the purposes of this document, this group of individuals is referred to by the term 'employees.' While the UK defines children as everyone under the age of 18, for the purposes of this policy, and in practice, safeguarding includes all students at the School irrespective of whether they have turned 18 years of age.

### **Policy**

The American School in London empowers each student to thrive as a lifelong learner and courageous global citizen by fostering intellect, creativity, inclusivity and character. We understand that children learn and grow best within a caring and supportive framework. As such, we undertake to create a school culture that exemplifies responsible personal and social behavior and protects students from the fear of any kind of abuse or neglect and enables them to bring their full selves to school and to thrive in a learning community that values and supports them. The School takes a proactive stance in fostering the social and emotional health of all children. Our K-12 pastoral care system (Responsive Classroom in grades K-4, and RSHE and advisories in the Middle and High schools) ensures that all children are connected to adults and peers and feel included and known. Additionally, all employees foster the attributes of the ASL Portrait of a Learner.

All ASL employees are required, without exception, to report any safeguarding concerns or allegations, and concerns or allegations about suspected child abuse or neglect to one of the members of the designated safeguarding team within the School. The designated safeguarding member will liaise with the appropriate school-based personnel, and may also consult directly with, and make referrals to, the appropriate Children's Services in the relevant borough. All designated persons have additional information to assist in the assessment of suspected abuse. The requirements of ASL employees are derived from UK laws and statutory guidance.

The School has an integrated approach to safeguarding, which means that when employees assess a concern about a child, we also consider wider environmental factors outside of school that may be a threat to the child's safety or welfare.

All ASL employees are expected to be familiar with the statutory guidance [Keeping children safe in education](#): for school and college staff (KCSIE) Part 1 and/or Annex A. Safeguarding is the responsibility of everyone in the School. At all times, everyone should consider what is in the **best interests** of the child. The school is committed to creating a culture of vigilance and listening to children. ASL recognizes that some students may be disproportionately vulnerable and at more risk of harm from specific issues such as sexual violence; homophobic, biphobic, or transphobic bullying; or racial discrimination. It is important to recognize that additional barriers can exist for children with special education needs or learning differences, or certain medical or physical health conditions. In safeguarding, ASL uses the definitions of abuse and neglect that are taken from KCSiE.

## **INDICATORS OF ABUSE AND NEGLECT**

### **What are 'abuse' and 'neglect'?**

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

child or children.

**Physical abuse:** a form of abuse that 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:** 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.

Emotional abuse 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 from 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 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.

Sexual abuse 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.

Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education and all staff should be aware of it and of their school or college's policy and procedures for dealing with it.

**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, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate caregivers)
- ensure access to appropriate medical care or treatment

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)

Neglect may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## **SPECIFIC SAFEGUARDING ISSUES**

The following is not intended to be an exhaustive list of safeguarding and child protection concerns. ASL refers to the content of *Keeping Children Safe in Education*, and in particular to the content in Part One, to inform safeguarding training for faculty, staff and trustees. We take a proportionate risk-based approach when deciding the level of information that is provided to temporary staff, volunteers and contractors.

### **Children missing from education (CME)**

ASL's commitment to ensuring all students attend school regularly is demonstrated through divisional attendance policies and daily attendance procedures. Each division works with individual families if a child misses too much school and understands that missing school may be an indicator of maltreatment.

The school database includes the option for more than one emergency contact number for each child. If a child stops attending school, the division will inform the DSL and the borough in which the child resides. The School works in partnership with local authorities to determine the whereabouts of a child missing from education. The School reports weekly to Local Authorities (LA) any children who have withdrawn that week and the name, address and contact number of the new school and the family's new contact details.

The School must inform the local authority of any child who is privately fostered. Private fostering is when a child under the age of 16 (under 18 if disabled) is cared for by someone who is not the parent or a 'close relative.' This is a private arrangement made between a parent and a carer, for 28 days or more. Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half blood or marriage/affinity). The parents and private carers are obligated to report all such arrangements to their local council at least six weeks before the arrangement is to commence. The local council will monitor the progress of any such child by contacting ASL's DSL.

### **Child sexual exploitation (CSE) and child criminal exploitation (CCE)**

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 of all gender identities and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

## **Child sexual exploitation**

CSE occurs when an individual or group takes advantage of an imbalance of power to coerce or manipulate a child into sexual activity in exchange for something. CSE may not always involve physical contact and can occur via technology. The victim may have been sexually exploited even if the sexual activity appears consensual. 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.

The School understands that it has an obligation to report any case or suspected case of child sexual exploitation to Westminster City Council Children's Services or that of the borough in which the child resides. In some cases, there may be a need to report directly to the police. The normal child protection reporting procedures are followed. Signs of possible child sexual exploitation include, but are not limited to, suspected intimate relations with an adult, inappropriate online presence, and changes in appearance and behavior. The School educates children about the dangers of online contact with strangers through its digital literacy curriculum.

## **Domestic violence**

Domestic abuse can encompass a wide range of behaviors and might be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of these can have a detrimental and long-term impact on their health, well-being, development and ability to learn.

Children who experience exposure to domestic abuse suffer serious, long-lasting emotional and psychological impacts. The School utilizes resources at the [NSPCC](#) and [Safelives](#) to support children and families in this situation. The School may decide to refer a student to Early Help or Children's Services as well.

## **'Honor-based' abuse (HBA)**

HBA encompasses incidents or crimes that have been committed to protect or defend the honor of the family and/or community, including female genital mutilation (FGM), forced marriage and practices such as breast ironing. All forms of HBA are abuse, and the School treats them as such.

## **Forced marriage**

The School understands that it has an obligation to report any case or suspected case of forced marriage to Westminster or to the borough in which the child resides. Forced marriage is a crime.

## **Mandatory reporting of FGM**

While all employees should speak to the DSL with regard to any concerns about FGM, there is a specific legal duty on teachers. A teacher must report FGM to the police and the Local Authority Children's Services in which the child resides. The report may be oral or written. When reported, the individual reporting should be given a reference number, which they must record.

If the employee did not learn about the case of FGM directly, but rather received the information from a third party, they will follow child protection procedures and report the suspected case to the DSL. In either case, the DSL must be made aware.

### **Online safety**

The School understands its vital role in protecting students from and educating students about the areas of risk: content, contact, conduct and commerce. The school operates a robust filtering and monitoring system in partnership with an accredited external provider to reduce the risk of students encountering illegal, inappropriate or harmful material online. Induction and regular staff training is scheduled to ensure all staff understand how the filtering and monitoring system operates and what staff members' responsibilities are to safeguard students. Each division has specific guidelines for technology use for students, and online safety is part of the technology, information literacy and media standards. The School also conducts parent and student education workshops throughout the year.

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

The School recognizes that children are capable of abusing other children. The School's Code of Conduct, school-wide policies on bullying and technology use, supervision of students, and pastoral education K-12 seek to minimize the risk of child-on-child abuse. All allegations of child-on-child abuse are handled in line with the school's safeguarding procedures and all children affected need to be supported. All child-on-child abuse is taken seriously and will not be tolerated as 'just having a laugh' or 'part of growing up.'

Child-on-child 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 children (sometimes known as 'teenage relationship abuse')
- physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm (this may include an online element that facilitates, threatens and/or encourages physical abuse)
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element that facilitates, threatens and/or encourages sexual violence)
- gender-based violence, sexual harassment, and sexual violence, 'upskirting' and initiation/hazing type violence and rituals.

Note that the Voyeurism Act, April 2019, outlaws 'upskirting,' the taking of a picture under another person's clothing without the other person's knowledge, with

the intention of viewing the genitals or buttocks, to obtain sexual gratification or to cause humiliation, distress or alarm.

Reports of child-on-child abuse are complex and decisions are made on a case-by-case basis during the entire process, with support from other agencies such as Children's Services and the police as required.

### **Concerns about mental health**

Concerns about a child's mental health that are also safeguarding concerns should prompt immediate action. Such concerns should be referred to a member of the safeguarding team without undue delay.

### **Radicalization, extremism and the Prevent Duty**

The DSL is also a Prevent lead and is trained to offer advice and support to employees. The School is equipped to identify children who may be vulnerable to radicalization or extremism. We monitor students who might be at risk. If a student is identified as at risk, they are referred to a member of the safeguarding team. If the concern escalates after appropriate interventions at the school and family level, the DSL will be notified and they may decide to refer the case to Channel, the multi-agency panel in the Tri-borough area that is dedicated to preventing radicalization and extremism.

### **Sexual violence and sexual harassment**

Sexual violence and sexual harassment can occur between two or more children of any age and sex. It can occur also through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally) and are never acceptable. [KCSIE](#) Part Five and the UKCIS Guidance: [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#), inform the school's practice and serve as guidance in developing preventive programs and responding to concerns.

ASL does not tolerate sexual violence and sexual harassment and challenges behaviors such as grabbing bottoms, breasts and genitalia; flicking bras; and lifting up skirts. ASL also understands that sexual violence and sexual harassment can be driven by wider societal factors beyond the School such as everyday sexist language and stereotypes. Thus, ASL takes a whole-school approach and teaches about sexual harassment and sexual violence through preventive education in health classes (RSHE) and other educational and extracurricular venues. Sexual violence and sexual harassment are explicitly prohibited in the Code of Conduct.



ASL is aware of the research that shows children who have specific learning differences, and children who are lesbian, gay, bisexual, trans or queer (LGBTQ+), or perceived to be, are particularly vulnerable.

Concerns about sexual violence and sexual harassment are addressed in the context of the school's safeguarding policy and normal reporting procedures are followed. Reports of sexual violence and sexual harassment are complex and decisions are made on a case-by-case basis during the entire process, with support from other agencies such as Children's Services and the police as required.

### **Sexual violence**

The school understands that children can, and sometimes do, abuse other children sexually. Sexual violence can include rape, assault by penetration, or sexual assault.

### **Consent**

Consent is about having the freedom and capacity to choose. A child under the age of 13 can **never** consent to any sexual activity. The age of consent in the UK is 16. Sexual intercourse without consent is rape. The School has revised the human sexuality and relationships aspect of its pastoral program to more specifically include the teaching of consent. The School understands that the concept of consent needs to be taught from an early age in developmentally appropriate ways.

### **Sexual harassment**

Sexual harassment is understood to be unwanted conduct of a sexual nature that can occur online and offline. Sexual harassment can include, but is not limited to:

- sexual 'jokes,' telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, circulating rumors about an individual's sexual activity or reputation, and calling someone sexualized names;
- physical behavior such as deliberately brushing against someone;
- 'upskirting;'
- online sexual harassment, which may include:
  - non-consensual sharing of sexual images and videos
  - sexualized online bullying
  - unwanted sexual comments on social media

### **Harmful sexual behavior**

Children's sexual behavior exists on a continuum. Problematic, abusive and violent sexual behavior is developmentally inappropriate and should be considered in a child protection context. Members of the safeguarding team have a good understanding of harmful sexual behavior and the resources available to support children. Children displaying harmful sexual behavior have often experienced their own abuse and trauma and require appropriate support.

## Sharing of nudes and semi-nudes ('sexting')

ASL follows the guidance from the [UK Council for Internet Safety](#). If you are made aware of an incident involving the consensual or non-consensual sharing of nude or semi-nude images/videos (also known as 'sexting' or 'youth produced sexual imagery'), you must report it to the DSL immediately.

Adults should **NOT**:

- View, copy, print, share, store or save the imagery, or ask a student to share or download it (if you have already viewed the imagery by accident, you must report this to the DSL)
- Delete the imagery or ask the student to delete it
- Ask the student(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- Share information about the incident with other members of staff, the student(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved

Adults **should**:

Explain that you need to report the incident, and reassure the student(s) that they will receive support and help from the DSL.

### Initial review meeting

Following a report of an incident, the DSL will hold an initial review meeting with appropriate employees—this may include the employee who reported the incident and the safeguarding or leadership team that deals with safeguarding concerns.

This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to student(s);
- Whether a referral needs to be made to the police and/or children's social care;
- Whether it is necessary to view the image(s) in order to safeguard the young person (in most cases, images or videos should not be viewed).

The DSL will also determine what further information is required to decide on the best response for the protection of the child (if it has been shared online or to others).

The DSL will make an immediate referral to police and/or children's social care if:

- The incident involves an adult
- There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example, owing to special educational needs)
- What the DSL knows about the images or videos suggests the content depicts sexual acts that are unusual for the young person's developmental stage, or are violent
- The imagery involves sexual acts and any student in the images or videos

- is under 13
- The DSL has reason to believe a student is at immediate risk of harm owing to the sharing of nudes and semi-nudes (for example, the young person is presenting as suicidal or self-harming)

## **WHAT TO DO IF YOU HAVE A CONCERN ABOUT A CHILD**

It is always important to follow up on your concerns. Depending on the nature and level of the concern a number of next steps can be taken.

### **Early Help**

Early Help is a community of services that supports families to build resilience and improve lives. The School may refer a student and their family to Westminster's Early Help unit or an Early Help unit in the borough in which the child resides. Any child may benefit from Early Help; however, employees should be particularly alert to the potential need for Early Help for a child who:

- is disabled;
- has specific learning differences that might make the child more vulnerable;
- is showing signs of being drawn into antisocial or criminal behavior;
- is frequently missing from care or from home;
- is misusing drugs or alcohol;
- is at risk of trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalized or exploited;
- is a privately fostered child.

### **Statutory assessments**

Where a child is suffering or is likely to suffer from harm, it is important that a referral to Children's Services is made immediately.

### **Children in Need**

A child in need is defined under the Children Act 1989, section 17, 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 impaired without services, or is a child who is disabled. Local authorities are required to provide services for children in need.

### **Children suffering or likely to suffer significant harm**

Under section 47 of the Children Act 1989, local authorities have a duty to investigate if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Local authorities investigate to determine if they should take any action where there are concerns of maltreatment, including all forms of abuse and neglect, FGM or other so-called honor-based violence and

threats such as radicalization and sexual exploitation.

## **CONCERNS ABOUT A CHILD AND WHEN TO REPORT**

An indicator of suspected abuse or neglect is, for example, disclosure by the child to a friend, classmate, teacher or other trusted adult. Other factors, such as unexplained injuries and implausible explanations, changes in behavior, or emotional state may be causes for concern. Additionally, employees do not need absolute proof to make a report to a designated person. If an employee has 'reasonable cause' or 'reasonable suspicion' based on their knowledge of the student or personal experience with children, the employee should act in good faith and speak to a designated person.

When abuse or maltreatment is suspected, it is important that employees listen carefully to students, giving them the time they need to talk about what happened to them and how they are feeling about it. Stay calm and do not show that you are shocked or upset, always tell the child they have done the right thing in telling you.

- Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on
- Do not promise to keep it a secret.

Questions can include:

- What, if anything, happened?
- Who was involved?
- When did it happen?
- Where did it happen?

Questions should be limited to clarifying basic information only, in order to help determine whether a referral should be made. It is important for employees not to ask children leading questions. The child may respond to these questions with additional detailed information. It is reasonable to allow the child to do so and come to a natural pause. Provided the employee hasn't sought the additional information, this is unlikely to undermine any future investigation; however, it is not the responsibility of employees in the School to investigate or prove suspected abuse.

Using our MyConcern system, write up your conversation as soon as possible in the child's own words. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so. Aside from these people, do not disclose the information to anyone else unless told to do so by a relevant authority involved in the safeguarding process.

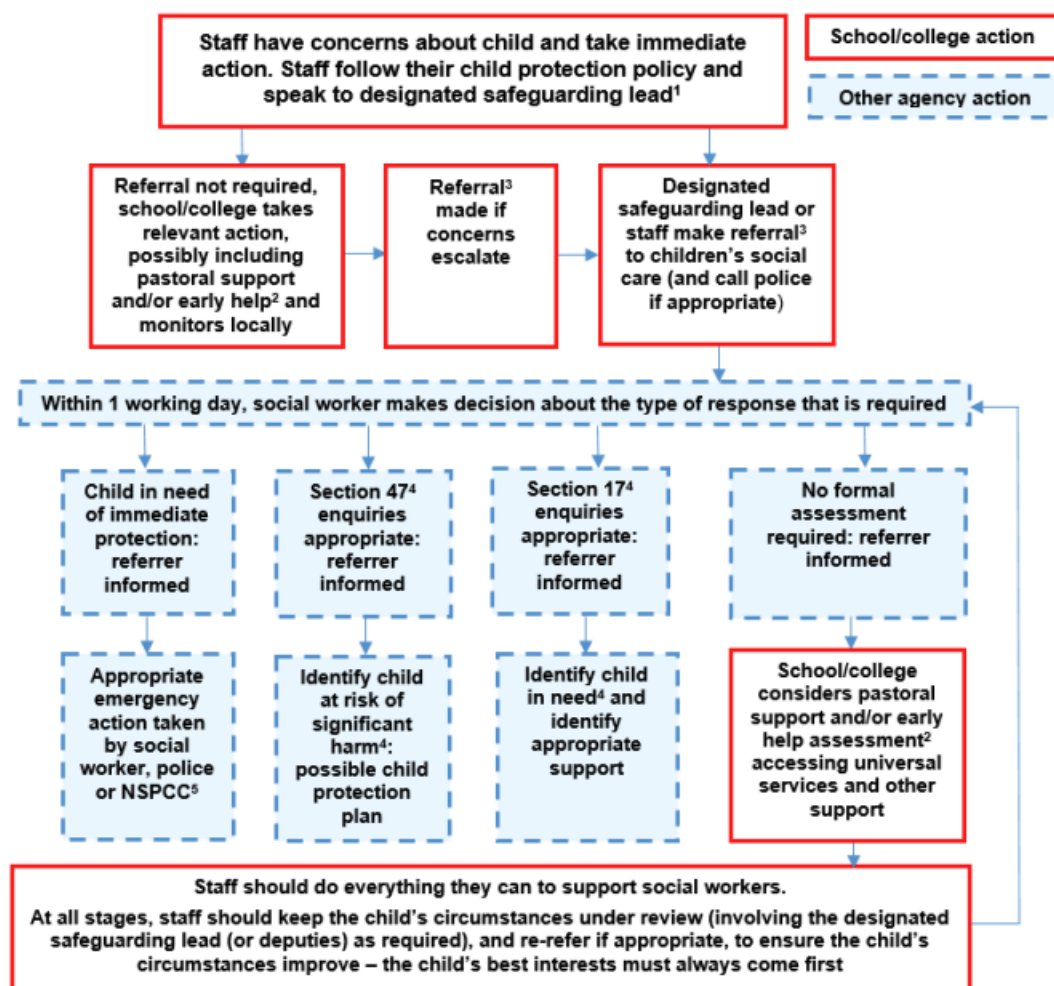
It is important to understand that some children may not feel ready, or know how to tell someone that they are being abused, exploited or neglected. Children may not always recognize that what is happening to them is abuse, or may feel embarrassed, humiliated or threatened. This could be because of their vulnerability, disability, sexual orientation and/or language barriers.

Employees should involve only those needing to be involved, such as the DSL, a member of the safeguarding team, or Children's Services. Employees should not promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child.

## **REPORTING PROCEDURE AT ASL**

1. Employees who have reasonable cause to suspect abuse or maltreatment *must* notify a designated member of [the safeguarding team](#), as soon as possible and any disclosure by a student must be documented as soon as possible (within two hours). This can be done either through our MyConcern system or directly to a member of the safeguarding team. The designated safeguarding team member will make a written log of concerns. The reporting employee will promptly record any verbal conversation and turn it in to the DSL if not already done at the moment of reporting. The School follows the procedures outlined in Part One of KCSIE, which are reproduced below for convenience. This flowchart is reviewed annually.

## Actions where there are concerns about a child



<sup>1</sup> In cases which also involve a concern or an allegation of abuse against a staff member, see Part four of this guidance.

<sup>2</sup> Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

<sup>3</sup> Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

<sup>4</sup> 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. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

<sup>5</sup> This could include applying for an Emergency Protection Order (EPO).

2. The designated safeguarding team member will confer with the DSL and inform the divisional principal and the Head of School. The school nurse may be consulted. **Where a child is suffering or is likely to suffer from harm, it is important that a referral to Children's Services is made immediately.** The contact number for Westminster's Children's Services is 020 7641 4000 and the email address is [accesstochildreancesservices@westminster.gov.uk](mailto:accesstochildreancesservices@westminster.gov.uk).

The designated person will inform the reporting employee as to the plan of action while maintaining the confidentiality of the family. The reporting employee is expected to honor the sensitivity and confidentiality of the information. Information

about actual or suspected maltreatment and any associated plans will be shared within the ASL on a 'need to know' basis.

## **MULTI-AGENCY SAFEGUARDING ARRANGEMENTS**

1. The DSL, in consultation, may decide a referral is not required, and the School will take relevant action on site. This may include soliciting support and an assessment from Early Help and/or providing internal support at the School. The child's progress is monitored at the School and further action may be determined if the child's situation does not appear to be improving or is getting worse. The case will be documented and stored confidentially and safely.

2. The designated person may consult with a Westminster Child Protection Advisor, as an anonymous, hypothetical case, as appropriate.

3. If Westminster's Children's Services advises ASL to report the case, the designated person will report the case to the relevant borough's Children's Services Assessment Team. This is done in the presence of a school administrator or the DSL.

4. If a referral is made to Children's Services, a social worker will be assigned. The designated person will confirm with the social worker what the primary carer is to be told, when, and by whom. If the child is not at risk from their primary carers, the primary carers should **usually** be notified of the concern; however, in the early stages of a sexual abuse investigation, primary carers are not informed. This needs to be confirmed with the local area social worker.

The responsibility for investigation normally falls to the borough in which the child resides. If the child does not reside in Westminster, and if there is a dispute with regard to jurisdiction, the School has the right, under the London Child Protection Procedures, to request the case be referred to Westminster (the borough in which the School is located), which will endeavor to resolve the dispute about responsibility.

Should an allegation be made against an ASL employee, the designated person contacts the designated officer (or 'LADO') in Westminster City Council. In addition, the designated person will complete and sign a written report within 48 hours (preferably within 24 hours) and send it to the Children's Services in the relevant borough. The report will be held in the strictest of confidence.

5. Once a referral has been made, Children's Services determines whether:

- the child requires immediate protection and urgent action is required;
- the case meets the threshold for section 17, a child in need;
- the case meets the threshold for section 47, a child suffering, or likely to suffer, significant harm;
- any services are required by the child and family and what types of services;
- further assessments are required in order to create an action plan.

The DSL and safeguarding team work with the social worker. If, after a referral,

the child's situation does not appear to improve, the safeguarding team will consider local escalation procedures to ensure that concerns have been addressed, and, most importantly, that the child's situation has improved.

6. A copy of the referral to Children's Services will be held in a locked cabinet in the office of the DSL, who will serve as the main key holder. Designated personnel will have access to the file through the MyConcern student reporting system, in the absence of the DSL. All other safeguarding concerns that are raised about a child's welfare or maltreatment, and do not result in a referral to Children's Services, are kept in the MyConcern system, which is a password-protected confidential safeguarding system to which only the designated persons, deputy designated safeguarding leads and the DSL have access.

7. If the designated person believes that a child's life or health is in imminent danger, they should contact the emergency services (dial 999).

8. If a child is not in urgent need of emergency services, then action will be taken by the Children's Services in the relevant borough to ensure the child's immediate safety. This could include an application to court for an order or police power of protection. This is used when there is thought to be an immediate serious risk to the child.

9. In the case of an allegation of abuse against employees, the Head of School will consult with the Westminster City Council's designated officer immediately, and follow their recommendations. You can reach the designated officer via email, [LADO@westminster.gov.uk](mailto:LADO@westminster.gov.uk).

In the case of a whistleblower reporting an allegation of abuse against a designated person, the Head of School will similarly consult with the designated officer in Westminster City Council. In the case of an allegation against the Head of School, the Board of Trustees would consult immediately with the designated officer in Westminster City Council. It should be noted that should an allegation of abuse be made against an employee that results in an in-house disciplinary procedure, there may also be a child protection investigation, and/or a criminal investigation process. The police investigation will take precedence over the internal disciplinary investigations.

10. The School has a duty to refer relevant information to Westminster's Local Safeguarding Children Partnership (LSCP) and, when appropriate, the Disclosure and Barring Service, so that any individual who poses a threat to children can be identified and barred from working with children. In such instances, the individual would have been deemed to have:

a) engaged in 'relevant conduct,' which is defined as conduct that:

- is likely to endanger a child
- involves sexual material relating to children
- involves sexually violent images
- is of a sexual nature involving a child as defined in the Safeguarding Vulnerable Groups Act 2006,

and



b) satisfied the 'harm test.' The harm test is satisfied if there is evidence that the person has:

- harmed a child
- caused a child to be harmed
- put a child at risk of harm
- incited another to harm a child.

The School has a legal duty to refer if an individual is cautioned or convicted of an offense that satisfies the 'relevant offense test' as defined by the Safeguarding Vulnerable Group Act 2006.

11. If a student withdraws from ASL, the School is obliged by law to pass along to the student's new school all relevant information kept on file within 5 days of the start of term. This will include confidential information related to safeguarding concerns or activity. The Data Protection Act 2018 and UK-GDPR do not prevent the sharing of information for the purposes of keeping children safe. This includes allowing practitioners to share information without consent.

12. If any member of the school community feels that the School is not doing due diligence in its safeguarding responsibilities, they can speak directly and anonymously to the NSPCC on their advice line, 0800 028 0285. This phone line is available from 8 am to 8 pm, Monday to Friday. The email address is [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **STATUTORY RESPONSIBILITIES**

According to the Department for Education (DfE), all schools in the UK, including independent schools such as ASL, are expected to follow child abuse reporting procedures as outlined above. Section 157 of the Education Act 2002 and The Education (Independent Schools Standards) (England) Regulations 2003 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of students at the School. It is not the responsibility of employees of the School to investigate suspected abuse. The School should not take action beyond that agreed in the procedures established by the LSCP. ASL's local LSCP is Westminster.

Failure to respond appropriately to a suspicion or disclosure of child abuse could be construed as willful misconduct or gross negligence. ASL aims to work cooperatively with Westminster's Children's Services or the relevant protective agency with respect to advice, reporting and investigation.

### **Children staying with host families**

Students are housed with host families overseas when suitable. Understanding that the DBS cannot access criminal records held overseas, the School works with the partner school to ensure that proper checks have taken place and will decide not to allow students to be housed abroad if safeguarding measures at the host school do not meet the school's criteria.

If ASL hosts students from overseas, all adults in the ASL host family over the age of 18 will have obtained a DBS, except for ASL students living in the home who may be 18 years or older.

## **RECRUITMENT**

Essential information about safer recruitment is contained in *Keeping children safe in education: safer recruitment, (part 3), September 2023*. The School operates safe recruitment procedures and it is essential that all appropriate checks are carried out on new employees and volunteers who will work with children.

Safe recruitment practice means conducting interviews that explore a candidate's suitability to work with children and young people, scrutinizing applications for discrepancies, verifying identity and academic or vocational qualifications, obtaining professional and character references, checking previous employment history, and making sure a candidate has the health and physical capacity for the job. The entire senior leadership team and at least one member on every interview panel receives regular safer recruitment training.

The School makes checks against the Disclosure and Barring Service for all employees and regular volunteers, in addition to checks for any prohibition orders (including EEA sanctions and prohibition from management checks). Individuals who have recently arrived in the UK, or whose last period of employment working with children was overseas, must provide a background check from the country where they were previously living/working, and the School reserves the right to request background checks from any overseas country where the candidate has previously resided. Further guidance is available from the human resources manager, and full details are contained in the 2022 Vetting and Safer Recruitment Policy.

## **TRAINING**

1. Annual Safeguarding and Child Protection Training is mandatory for all ASL employees and regular volunteers, and is a condition of employment at ASL. Initial training sessions are offered at various times during the academic year for new employees.

2. All other employees working with children undertake training on an annual basis that equips them with the knowledge and skills necessary to carry out their responsibilities for child protection, and temporary employees and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities. This training will be contracted and provided by child protection advisors including members of the City of Westminster Safeguarding and Quality Assurance team.

3. In addition to basic child protection training, the designated persons undertake training in inter-agency working that is provided by, or to standards set by, the LSCP and refresher training at two-year intervals to maintain their knowledge and skills.

4. At least one person on every interview panel must have received safer recruitment training via the NSPCC or another recognized training provider, and a list of trained personnel is available from the HR department.

## **SUMMARY AND ADDITIONAL RELATED DOCUMENTATION**

Any deficiencies or weaknesses identified in regard to the Safeguarding and Child Protection policy and procedures must be remedied without delay. The Head of School authorizes an annual review of the school's policies and procedures relating to safeguarding and how the above duties have been discharged.

For detailed procedures regarding the reporting and investigation of child abuse, please refer to the following documents, which are on file with the DSL.

1. [Children missing education](#), September 2016
2. [Keeping children safe in education: Statutory guidance for schools and colleges](#)
3. [What to do if you're worried a child is being abused](#), March 2015
4. [Working together to safeguard children](#), December 2023

Please also refer to the following documents in ASL's forms and documents:

1. *ASL Data Protection Policy*
2. *ASL Middle School and High School Code of Conduct*
3. *ASL Standards for Safe Working Practices*
4. *Anti-Bullying Policy*
5. *Responsible Use Agreement*
6. *High School Responsible Use Agreement*
7. *Middle School Responsible Use Agreement*
8. *Lower School Responsible Use Agreement (K1-Grade 2 and Grades 3-4)*
9. *Social Media Guidelines*
10. *Student Web Publishing Guidelines*
11. *Statement on Harassment*
12. *Vetting and Safer Recruitment Policy*
13. *Whistleblowing (Public Interest Disclosure) Policy and Procedure*