

## SAFEGUARDING POLICY

This is a whole school policy which includes Early Years

The Education Act 2002 requires us to safeguard and promote the welfare of our pupils by creating and maintaining a safe learning environment and identifying and acting upon child welfare concerns. The safety and welfare of all pupils at Gayhurst is our highest priority. The school is also governed by The Children Act 1989, the Statutory Framework for Early Years Foundation Stage, May 2008 reissued in 2014, Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings 2009, Working together to Safeguard Children issued in March 2015 and Keeping Children Safe in Education reissued in March 2015, April 2015, July 2015 and May 2016

### 1. Introduction

Creating a safe learning environment means having effective arrangements in place to address a range of issues, including:

- Preventing unsuitable people working with children and young people
- Promoting safe practice and challenging poor and unsafe practice
- Where there are concerns for a child's welfare, initiating appropriate action to keep them safe
- Contributing to effective partnership working between all those involved with providing services for children including inter-agency working on the part of the DSL (Designated Safeguarding Lead) and attendance at strategy meetings.

Education staff have a crucial role in helping identify at an early stage welfare concerns and indicators of possible abuse or neglect. Staff should not themselves investigate possible abuse or neglect but have a key role by referring those concerns to the appropriate person/organisation providing information for police investigations, for enquiries under s.47 Children Act 1989, and contributing to assessments. They may also contribute to ongoing action to meet children's needs.

Fundamental elements to the Gayhurst School procedures are:

- Maintaining the attitude that 'it could happen here', and noting that dangers to effective Safeguarding can include failure to take effective action, failure to act on or refer signs of abuse and poor recording.
- Our support of all children's development in ways that will foster security, confidence and resilience.
- Our provision of an environment in which children feel secure, safe, valued and respected, feel confident and know how to approach adults if they are in difficulty.

- Acknowledging Safeguarding is the responsibility of everyone.
- Having a child centred approach at all times; what is in the best interests of the child.
- Having an anti-bullying policy, a behaviour /discipline policy and a staff code of conduct.
- Periodically reviewing policies but updating annually and as and when appropriate.
- Defining a child as anyone under the age of 18 (this might include coaches and other assistants) and acknowledging that children can abuse children.
- Defining staff as employees, contracted assistants and coaches, parent volunteers and adult assistants fulfilling nominated roles at Gayhurst School events.
- Volunteers, adult assistants, employees, contracted assistants, governors and coaches not placing themselves in positions where they could be accused of any form of abuse.
- If any volunteer, adult assistant or employee sees or hears anything which could be perceived as either poor practice or abuse in relation to the care of children, the incident has to be reported to the Head who is the DSL (Designated Safeguarding Lead) at Gayhurst School.
- Gayhurst follows the procedures of Buckinghamshire Safeguarding Children Board.
- Ensuring that all staff have read Part 1 KCSIE and Annex A and have had copies of this policy, our code of conduct and details of the DSL as part of their induction and confirming this is the case with their signature.
- Understanding and making appropriate risk assessments for children at risk of radicalisation under the Government's Prevent Duty Guidance 2015.
- Being familiar with the school's ICT e-safety policy.
- Being aware and as much as possible familiar with signs that may indicate a child is vulnerable to radicalisation or undergoing radicalisation.
- All (relevant) people employed must confirm officially in writing that they are not eligible to be disqualified from child care through association.
- All staff have a professional duty to share confidential information about the protection/welfare of children with the Children's Services via the DSL.
- All allegations about staff are reported to the Local Authority Designated Officer (LADO) who is Buckinghamshire County Councils Children's Services (Education) Team Manager.

- In cases of serious harm, the police will be informed from the outset
- All appointees and Governors are checked in line with the Independent Schools Standards Regulations (including as relevant DBS checks, overseas checks and references, which must be suitable to Gayhurst) for their suitability to work with children. If a portable DBS check is used there is still a necessity to check the barred list. The DBS checks are renewed as agreed by the Governing Body. In line with part 3 of the DfE's guidance, 'Keeping Children Safe in Education' this ensures that the governing body prevents people who pose a risk of harm to pupils from working with them. (See Appendix A)
- The Head, Head of Junior School, Bursar and two Governors have all successfully undertaken, Safer Recruitment Training.
- Volunteers, adult assistants, employees, contracted assistants, governors and coaches receive Safeguarding training at least once every three years after their induction when they join the school. Safeguarding training is part of the induction process.
- A copy of the Gayhurst Safeguarding Policy is made available to all staff via intranet and shared data. Copies are also available from the school website and from the office for parents if required.
- Recognising that it is important for children to receive the right help at the right time to address risk and prevent issues escalating.
- Acknowledging that no single person can have the full picture of a child's need 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.

## 2. Forms of Abuse

There are four main forms of abuse which is the maltreatment of a child (however safeguarding rarely relates to stand alone issues, in most cases multiple issues will overlap):

- Neglect This includes things like failing to provide adequate clothing, food and shelter, failing to protect a child from physical and emotional harm or danger, failing to ensure adequate supervision, failing to ensure access to appropriate medical care/warmth.
- Physical Abuse may involve hitting, shaking, throwing, poisoning, burning, scalding drowning, suffocating, inducing illness in a child or otherwise causing physical harm to a child and **this includes FGM (Female Genital Mutilation, including honour base violence and forced marriages)**. Should any member of staff discover that an act of FGM appears to have been carried out it is a statutory duty for that member of staff to report it to the police. The DSL should also be

informed immediately. Physical abuse may also be caused when a carer fabricates the symptoms of, or deliberately induces illness in a child.

- Sexual Abuse involves forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts and non-contact activities, such as involving children in looking at or in the production of sexual on line images, sexting, watching sexual activities or encouraging children to behave in sexually inappropriate ways. (Child sexual exploitation)
- Emotional Abuse is defined as persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued insofar as they meet the needs of another person. It may feature developmentally inappropriate expectations being imposed on children. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying causing children to feel frightened and in danger of the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Further information of specific types of abuse such as FGM is attached in the Appendix of this policy.

### **3. Effects of Abuse**

Abuse in all its forms can affect a child of any age. The effects can be so damaging that they may follow an individual into adulthood.

### **4. Diversity**

A number of studies suggest that children with disabilities are at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, isolation and are powerless to protect themselves or adequately communicate that abuse has occurred.

Although no culture sanctions extreme harm to a child, cultural variations in child rearing patterns do exist. A balanced assessment must incorporate a cultural perspective but guard against being oversensitive to cultural issues at the expense of promoting the safety and well-being of the child.

### **5. Responding to the Concerns**

Concerns are often raised about a child from a number of different sources including the attendance record of a child should there be any extended, unexplained absenteeism (see missing child policy point 3). The information that one member of staff passes on to the appropriate DSL may not be in itself enough to require a referral to Social Care. However, other concerns may have been reported and together will indicate that there is reason for

serious concern. Any information that is held in isolation by an individual will not help to protect the child. The gathering of information within an establishment and then from other agencies can be likened to a jigsaw -the latest concern/information may be the final piece of the puzzle. Always report any concern or disclosure immediately to the DSL. Concerns related to children who have suffered or are likely to suffer significant harm will be reported to Children's Social Care immediately. Concerns for children who are in need of additional support will be discussed with parents and pupils, if appropriate, and addressed with guidance from local agencies such as CAMHS.

If the concern or disclosure regards a member of staff this should be reported immediately to the Head or if it involves the Head this should be reported to the Chair of Governors.

If a child is in immediate danger or is at risk of harm a referral will be made to children's social care and/or police immediately.

See Appendix C.

### **Reacting to a Disclosure**

*The following guidance is provided to assist anyone who in the course of working directly with a child or young person receives a disclosure of child abuse.*

Children will choose an adult to talk to, whom they feel they can trust. This could equally be a teacher, volunteer helper, learning support assistant, driver, etc. It is therefore important that all staff know what to do and who to go to for advice. All staff working with children should be trained every three years.

For anyone who has been a victim of abuse in the past, receiving a disclosure can be particularly distressing. It is important to seek support as soon as possible in order to reduce the impact on themselves and on their response to the child.

#### **i) Receive**

Listen to what is being said, without displaying shock and disbelief

Take what the child says seriously

Keep an open mind

#### **ii) Reassure**

**Reassure** the pupil, but only so far as is honest and reliable, for example, don't make promises you may not be able to keep, like "I'll stay with you" or "Everything will be all right now".

**Don't** promise confidentiality; you have a duty to refer to the DSL.

**Do** reassure and alleviate guilt, if the pupil refers to it. For example, you could say; "You're not to blame."

"You've done the right thing by telling someone"

### iii) React

**React** to the pupil only as far as it is necessary for you to establish whether or not you need to refer this matter, but don't 'interrogate' for full details.

**Do not ask** 'leading' questions, for example, "What did s/he do next?" or, "did s/he touch your private parts" The child may well have to tell the story again, and to do so repeatedly will cause undue stress. In the cases where criminal proceedings occur, such questioning can cause evidence to become invalid.

**Do ask** open questions, like "Anything else to tell me?", "Yes?", "And?"

Allow the pupil to tell his/her own story. Research has shown this initial disclosure can be the best therapy if they are able to 'talk it out'.

Do not criticise the alleged abuser, the pupil may love him/her, and reconciliation may be possible. Do not ask the pupil to repeat it all for another member of staff.

Follow school procedures - refer to the DSL. (Head or Head of Junior School in his absence)

Explain what you have to do next and to whom you have to talk.

Try to see the matter through yourself and keep in touch with the pupil.

Ensure that someone in the school is identified as a support to the child following the disclosure and beyond.

### iv) Record

It is always essential that any concerns regarding matters of safeguarding are recorded carefully and passed to the DSL. Under certain circumstances, where a criminal offence may have taken place, records could be used as evidence in a court; therefore, the following guidelines should always be followed:

1. In the event of a disclosure make a report of anything said at the time, recording the exact words used by the child to indicate parts of the body, rather than substituting adult words. Make a note of any accompanying non-verbal behaviour and how the information was imparted. Please use the school record of concern document to make your report.

2. When concerns are raised about a child, record the time, date and place where signs are noticed or reported and pass them to the DSL. Records may have to be kept over a period of weeks or months before a referral may be appropriate. Record statements and observe things rather than give interpretations. Record discussions with parents and reactions of the parents to the child.

A record of all communications, oral or written, with education staff and outside agencies concerning possible abuse and any subsequent actions should be kept. The DSL is responsible for this.

3. Records related to safeguarding should not be kept in a child's general school file. They should be kept separately in a locked cabinet. A soft copy should also be retained in the DSL's files. When the child leaves the school, photocopies of these records should be passed directly to the DSL in the child's new school. The originals should be kept, in case of subsequent investigation or legal action, until the child reaches the age of 50.

4. In the event that one pupil makes a disclosure about another pupil the general principles of listening and reporting to the DP remain the same.  
At all stages school and LSCB (Buckinghamshire Safeguarding Children Board) guidance must be followed.

Many factors could lead to one pupil abusing another. On occasion they themselves are being abused. Each disclosure will be treated purely on the facts. Although no one prescribed solution can be regarded as a best fit, the procedures below must always be followed. The reporting arrangements for all forms of abuse include making contact with a welfare agency within 24 hours of a disclosure of abuse. A bullying incident should be treated as a child protection concern when there is 'reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm.' If this is so, then the school's anti-bullying policy and procedures should be followed.

**N.B. Any allegation / disclosure regarding a member of staff MUST be referred immediately to the Head.**

**Any allegation / disclosure regarding the Head MUST be referred immediately to the Chair of Governors. See note 15**

## **6. Governors**

The Governors ensure that there is a Designated Safeguarding Lead at Gayhurst (The Head) and that there is a deputy from the Senior Management team, to deputise in the absence of the Head (The Head of Junior School) and that these persons have the training (which is reviewed every two years) in child protection and interagency working and have the time to carry out their duties.

The Governors are responsible for ensuring that school procedures follow this policy and that this policy remains appropriate and current. The Lead Governor participates in termly Safeguarding review meetings with the DSL and deputy DSL. The Governors undertake an annual review of Gayhurst's safeguarding policies and procedures and of the efficiency with

which the related duties have been discharged. This occurs at a Full Meeting of the Board in the Summer Term and is minuted.

**The designated Governor responsible for ensuring that Safeguarding procedures are in place, enforced and efficient is Mrs A. Hatton.**

## **7. Designated Safeguarding Lead (DSL)**

The DSL for Gayhurst School is Mr G R A Davies, Head.

The DSL for Early Years is Mrs J. Terrar, Head of Junior School. Should one of the DSLs be away the other shall act for the whole school.

The DSLs will undertake training every two years. (Mr Davies' last training was May 2016 (Level 4); Mrs Terrar's was June 2015.

The role of the DSL is to:

- Ensure safeguarding procedures are in place and updated as appropriate
- Ensure all staff and volunteers are aware of the school policy and procedures and know how to recognise and refer any concerns.
- Be available to provide advice and support to staff and for confidential discussion about concerns.
- Be available to provide support to pupils.
- Refer to /Liaise with LADO/Social Care for Children's Services in accordance with Buckinghamshire procedures (using the common referral form at [http://www.bucks-lscb.org.uk/sites/default/files/Appendix\\_3\\_common\\_referral\\_form.pdf](http://www.bucks-lscb.org.uk/sites/default/files/Appendix_3_common_referral_form.pdf) )
- Follow up with the LA if they do not feedback within 1 day of a referral confirming the course of action that has been decided upon.
- Keep secure records of any concerns/suspected case of abuse/referrals including all concerns, discussions and decisions and the reasons for those decisions (separate to the pupils main file).
- Co-ordinate arrangements for monitoring of pupils on roll who have been identified as being in need of protection.
- Arrange in service training for all school staff (teaching, support and maintenance and full and part time staff) as required. Each member of staff must attend at least a basic safeguarding training course every three years and have annual updates.
- Ensure that any deficiencies or weaknesses in the school's safeguarding procedures will be rectified without delay.
- Undertake training, including inter-agency training every two years.
- Liaise /provide assistance to other agencies in Early Help Assessments and review cases where a child is receiving 'early help'.

- Ensure they, or an appropriate deputy, attend case conferences, family support meetings, core groups or other multi- agency planning meetings and provide a report/contributes as necessary.
- Report to the Disclosure and Barring Service within one month of leaving, any person whose services are no longer used because he or she is considered unsuitable to work with children.
- Refer cases to the Police as required.
- Ensure that all checks on those appointed are those required by the Independent Schools Standards Regulations (which includes DBS/CRB and reference checks) and that assurance is obtained that appropriate safeguarding checks and procedures apply to any staff employed by another organisation and working with the school's pupils on another site.
- Ensure that when a pupil leaves Gayhurst, their safeguarding/Child Protection file is copied and forwarded to the DSL in the new establishment (whilst keeping the originals until the child reaches the age of 50).
- Provide to the Governing Body an annual report detailing changes to the policy/procedures; training undertaken by the DSL, all staff and Governors; number and type of incidents/cases and number of children referred to Children's Social Care and subject to Safeguarding/Child Protection Plans (anonymously).

When the DSL has been informed of a case of suspected abuse or of a young person who may be at risk of abuse he/she must refer the matter to Social Care for Children's Services. Social Care for Children's Services will then advise the DSL regarding any contact with the family as it is the responsibility of the Social Care for Children's Service to inform the parents. The DSL will refer any case of disclosure/abuse or suspicion of abuse against a person working in the school to the LADO - Therese McAlorum the Manager of the Safeguarding in Education Team for Buckinghamshire. (Contact on 01296 382070 at County Hall, Walton Street, Aylesbury, Buckinghamshire HP20 1UZ). Social Care for Children's Services are available on 01494 675802 (at County Hall, Walton Street, Aylesbury, Buckinghamshire HP20 1UZ)

Where an allegation is made against the DSL, it is reported to the Chair of Governors, without the DP being informed. The Chairman will contact the LADO.

## **8. Staff**

All staff share the responsibility for safeguarding children, protecting them from harm and promoting their welfare.

All staff (including supply and volunteers) are made aware of the school's policy and procedures for safeguarding, the name and contact details for the Designated Safeguarding Lead (DSL), the process for making referrals to children's social care and for statutory assessments under the Children's Act 1989 that may follow a referral along with the role they might be expected to play in such assessments, the staff code of conduct and have these explained as part of their

induction. Such induction will take place before or as soon as the person starts work at the school. This is normally as part of an INSET prior to the beginning of the new academic year. All staff will read Part 1 of the DfE guidance document *Keeping Children Safe in Education* and confirm in writing that they have done so.

All staff will receive training at least, every three years and annual updates.

All staff must report any concerns to the DSL.

Staff are involved in the creation/review of the schools safeguarding arrangements and in the review of this policy.

Staff should raise concerns about poor or unsafe practice and potential failures in the schools safeguarding regime with SLT and be reassured that these concerns shall be taken seriously. If they wish the report concerns under whistleblowing they should contact NSPCC on 0800 028 0285.

Staff have access to school devices in order to take appropriate images. They are not allowed to use their own devices. Devices are not allowed to leave the premises unless they are authorised school cameras to be used for the explicit purpose of recording images of external events related to Gayhurst children. The images taken can be used for display purposes or to demonstrate aspects of school life. If they are for marketing reasons they must be emailed to the Director of Admissions and Marketing to be placed in an appropriate secure digital file. Other images are uploaded to the appropriate secure digital file in shared data. All images are then deleted from the devices. When necessary the school technician will delete images from school iPads before the retrieval date expires. Random checks will be made on all devices by the school technician.

In EYFS school devices are kept securely in locked cupboards, any images uploaded at the end of the school week to the EYFS designated folders on the school records and then deleted from the devices.

All staff must ensure that mobile telephones are kept securely in their possession and are never used for recording images of Gayhurst children. In the Early Years Settings personal mobile telephones belonging to staff must be kept securely in the relevant staff rooms and only used in these locations.

Staff must be aware that it is inadvisable for a teacher to give a lift in a car to a pupil alone. Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles. If there are exceptional circumstances and a private vehicle has to be used there should be at least one adult in addition to the driver acting as an escort except in extremis. Such journeys should always be made known to a member of the SLT and preferably to the Head.

The School operates Safe Recruitment Practices including checks on all staff and volunteers' suitability in accordance with current legislation.

All staff will follow the advice given in the booklet "What to do if You're Worried a Child is Being Abused" (<http://www.dcsf.gov.uk/everychildmatters/resources-andpractice/IG00182/>) (which is provided at induction).

All staff at Gayhurst are required to notify the school immediately if there are any reasons why they should not be working with children. This includes staff who are disqualified from childcare or registration including, 'by association' i.e. they live in the same household (or someone is employed in their household) as someone who has unspent cautions or convictions for a relevant offence. The relevant offences are set out at the following web address: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/384712/DBS\\_referals\\_guide\\_-\\_relevant\\_offences\\_v2.4.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384712/DBS_referals_guide_-_relevant_offences_v2.4.pdf)

The, 'by association' requirement also applies if you live in the same household as or someone is employed in your household who has been disqualified from working with children under the Childcare Act 2006.

The Childcare (Disqualification) Regulations 2009 apply to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The school takes its responsibility to safeguard children very seriously and any staff member who is aware of anything that may affect his/her suitability to work with children must notify the school/their manager immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive. He/she must also notify the school immediately if he/she is living in a household where anyone lives or works who has been disqualified from working with children or from registration for the provision of childcare.

Staff who are disqualified from childcare or registration, including, 'by association', may apply to Ofsted for a waiver of disqualification. Such staff may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Head/Bursar for more details.

## **9. Early Years Foundation Stage (EYFS)**

Joan Terrar, Head of Junior School, is designated lead Practitioner (the EYFS Practitioner) responsible for safeguarding children within the EYFS and for liaising with local statutory children's agencies as appropriate. Gayhurst's Safeguarding Policy and Procedures apply through the whole School, including the EYFS.

## **10. Physical contact and use of restraint**

It is unreasonable to suggest that teachers should never touch pupils.

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil).
- causing personal injury to, or damage to the property of, any person (including the pupil himself/herself).
- prejudicing the maintenance of good order or discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

## **11. Training**

The last whole school Safeguarding training inset at Gayhurst School was carried out on 3rd September 2015. The last update training was in September 2016.

All staff who work with children (including part time and support staff) plus volunteers will receive Safeguarding training from the DSL or an accredited safeguarding body as part of their induction. This training is provided every three years with annual updates.

The DSL will have specialist training for this role and further inter-agency training. This training will be updated every two years.

The course administrator for Buckinghamshire County Councils Safeguarding Training Unit contact number is 01296 387915.

Training for Safer Recruitment and selection is available from ISBA or the Lucy Faithfull Foundation via the Bursar.

## **12. School Procedures**

Any member of staff having concerns that a pupil may be at risk of abuse should always discuss them with the DSL. Staff may be asked at this stage to complete a written record of their concerns. This record is then kept by the DSL in a confidential file. The DSL will discuss a plan of action according to each confidential situation. In clear cases an immediate referral should be made, if appropriate. It is the responsibility of the DSL to seek further advice; advice must be taken in borderline cases from the Children's services or where appropriate, the LADO, re referring the case on. The DSL would then share relevant information confidentially with the member of staff who had raised the concern and the pupils' keyworkers on a need-to-know basis.

The DSL will share information confidentially on a need-to-know basis with the member of staff who has heard the disclosure to reassure them that action is being taken to protect the pupil. Other staff are then informed on a need-to-know basis that the pupil is having problems that are being dealt with by the Children's Services or the LADO where appropriate.

The DSL will record any action taken such as suspension or otherwise. **All staff and persons working with children are aware that anyone can make a referral, if necessary.**

### 13. Pastoral Care

Pupils -

The school has good pastoral system designed to empower the pupils to seek help when they are worried or have concerns about their safety. The following notes are guidance for working with children and all staff are made familiar with them.

- Avoid doing anything which is not totally open and make sure that all children are treated the same way;
- Avoid any favouritism and this includes addressing children by a nickname.
- Avoid being overly tactile;
- If you have to assist a child make sure you do so openly and in sight of other participants;
- If you are required to lift, carry or support a child avoid making contact with sensitive parts of the body, explain what you are doing while you are doing it and, where practicable, gain their consent;
- In cases where children wet/soil themselves staff must be aware of the school's intimate care policy.
- Do not put yourself in a position where you find yourself alone with a child out of public view. The only exception to this is one to one teaching such as music teaching by peripatetic workers within the practice rooms;
- Be aware of appropriate physical contact when pupils are distressed;
- Do not engage in rough physical or provocative games or horseplay with any child;
- If you are working with groups where physical contact is inevitable it is essential that carers or parents consent to the methods of lifting, carrying or other contact which will take place;
- Never leave a child or a group of children unsupervised.
- Be aware, understand and comply with the school's internet policy regarding electronic communication with children.
- Be aware of the possibilities of cyber bullying and the distressing effect it might have on children as noted in the school's anti-bullying policy.
- Understand that pupils can be vulnerable and exploited by others. Staff must be alert to signs of vulnerability and or susceptibility to any extremist indoctrination. This includes awareness and sensitivity to attitudinal changes of pupils which may indicate that they are at risk of radicalisation.

- Staff should be alert to any intended extended unauthorised absences and ensure that any suspicions these might indicate a safeguarding issue are passed on to the DSL.
- Teaching pupils about online safety.

Parents -

Regular dialogue between staff and parents regarding the welfare of their child should be a normal part of pastoral care. In many cases where concerns are ongoing it would be expected that seeking help from Social Care had been raised as a possible outcome when speaking to parents. All parents should be aware of Gayhurst's child protection policy. In addition, the consent of the child, if of sufficient understanding, should be sought.

However, in both cases the DSL must then explain that they have a duty to refer if they believe that the child or other children may be at risk of significant harm. There are some situations when seeking consent should be avoided:

- a) In cases of sexual abuse, where evidence could be destroyed.
- b) Where the risk of violence to the child or others may result (or other significant risks e.g. abduction, forced marriage)
- c) Where a child may be coerced into withdrawing a statement.
- d) Where the sharing of information with parents is best managed jointly e.g. mental health, learning difficulty.

The DSL should seek advice from Social Care and keep a record of the advice given.

When concerns regard sexual or serious physical abuse that may be a criminal matter, **always** take advice from Social Care before speaking to parents.

Staff must refer any disclosure and it is important to be honest with the child. If possible let them know that you must pass on any information that is about them being harmed in some way before they disclose. If this is not possible be clear about whom you will tell and what you will tell after the disclosure has taken place.

#### **14. Confidentiality**

All matters relating to child protection are confidential.

The DSL will disclose personal information about a pupil to other members of staff on a need to know basis only. However, all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

All staff must be aware that they cannot promise to a child to keep secrets which might compromise the child's safety or well-being or that of another.

We will always undertake to share our intention to refer a child to Social Care with their parents/carers unless to do so could put the child at greater risk of harm, or impede a criminal investigation, if in doubt the DSL will consult with the Children's Services on this point.

## 15. Allegations made against a Staff Member

All staff (including supply and contractors) and volunteers will be carefully selected and vetted to try to ensure that they do not pose a risk to children.

Gayhurst complies with the statutory guidance under Section 157 of the Education Act 2002, the statutory arrangements for vetting of staff (including supply and contractors) and volunteers which came into effect in 2007 and the revised regulations contained in the statutory policy, 'Keeping Children Safe in Education 2015, which include:

- Checks on a person's identity and right to work in the UK.
- Enhanced DBS/CRB checks for all staff and volunteers, including foreign nationals who will be subject to overseas checks as required (where a portable DBS is used, the Barred List will be checked and recorded).
- Checking that relevant people working are not disqualified, including 'by association' in connection with early or later years childcare provision, nor provide or be directly concerned in the management of such provision unless they have received a waiver from Ofsted which covers the role that they wish to undertake. (If a waiver application is under consideration, we will consider if it is appropriate to redeploy the person elsewhere in the school or make adjustments to their role to avoid them working in relevant childcare after taking advice from our LADO. Where alternative arrangements cannot be made or it is not appropriate to do so, we will need to consider whether to grant paid leave or similar, or as a last resort suspend the member of staff, while the waiver application is under consideration. Where an individual decides not to apply for a waiver, or a waiver is declined, we will have to consider and make decisions about whether the individual could be permanently redeployed, the appropriateness of redeployment, or whether steps should be taken to legitimately terminate their employment.)
- Reference checks (of which one at least is sought before interview) and both need to be suitable for employment at Gayhurst.
- Prohibition checks for teachers.
- Application Form and Qualification verification.
- Subjecting people who have lived outside the UK to further overseas checks if the DBS/CRB check is insufficient
- Keeping a single central record of recruitment and vetting checks for staff, supply staff, regular volunteers, and people brought in regularly to provide additional teaching or instruction.

In exceptional circumstances, any new member of staff without full DBS/CRB clearance may commence work subject to controlled conditions as set by the Head. These must include a DBS application having been made, Barred List check and, where relevant an NCTL check being completed before they commence employment, a risk assessment including supervision (which is clear to all parties and reviewed fortnightly) and with all of this being noted in the central register.

All school staff should take care not to place themselves in a vulnerable position with a child. It is always advisable for interview or work with individual children or parents to be conducted in view of other adults

All staff in conjunction with this policy must ensure that they are familiar with the school policies related to; The Gayhurst Staff Code of Conduct, the Anti-Bullying policy, the school Whistleblowing policy, the Behaviour policy, the Health and Safety policy, the Intimate Care policy, the Missing person policy and all other pertinent policies.

Any person (whether employed, contracted, a volunteer or student) hearing an allegation of abuse against another member of staff, volunteer or any adult involved in the work of the school must inform the DSL. If a disclosure or suspicion of abuse involves a member of staff the DSL must still refer the matter directly to the LADO within one working day.

The DBS (<https://www.gov.uk/disclosure-and-barring-service>) will be notified about any person (whether employed, contracted, a volunteer or student) whose services are no longer used because he or she is considered unsuitable to work with children. Where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate the school will also consider a referral to the National College for Teaching and Leadership (NCTL).

Allegations against the Head will be reported, without their knowledge, to the Chairman of Governors

### **Managing allegations of abuse against teachers and other staff**

This relates to cases of allegation that a teacher or member of staff (including volunteers) has:

- Behaved in a way that has harmed a child
- Possibly committed criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.

Many cases may well not meet the criteria set above or may do so without warranting consideration of either a police or Buckinghamshire Social Services investigation or enquiry. However, after initial investigation this would be a discussion that would be held with the LADO and the DSL at Gayhurst who is the Headmaster as well as the Chair of Governors who will be informed at an early stage.

The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern. In this case the decision and justification for it should be recorded by the DSL and the LADO and agreement reached as to what information should be put into writing to the member of staff concerned. The DSL should then consider what action should follow in respect of the member of staff and those who made the initial allegation.

Where further investigation is deemed necessary the Headmaster should inform the member of staff about the allegation as soon as possible providing as much information as possible. If a strategy discussion is needed however, or police or Buckinghamshire safeguarding team/social care services need to be involved, this will not happen until those agencies have agreed what information can be disclosed to the person.

In some cases, further enquiries will be needed to inform the decision about how to proceed and this may include the LADO, the Buckinghamshire safeguarding team/social services and the police. In straightforward cases the investigation should normally be undertaken by the Headmaster, Deputy Head or Head of Junior School.

Parents or carers of a child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, if a strategy is needed involving external specialists the Headmaster will not do so until those agencies have agreed what information can be disclosed to the parents. They will also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution including the outcome of any disciplinary process.

The Headmaster in liaison with the Chair of Governors will consider carefully whether the circumstances of a case warrant the member of staff being suspended from contact with children at the school until the allegation or concern is resolved.

Where it has been deemed appropriate to suspend the person written confirmation will be sent within one working day giving the reasons for the suspension. The person will be informed at that point who their named contact is within the school organisation and provided with their contact details. If the allegation is not demonstrably false or unfounded and there is cause to suspect a child is suffering or is likely to suffer significant harm a strategy discussion will be convened in accordance with the procedures of local inter-agencies.

If the allegation is about physical contact the strategy discussion or initial evaluation with the police should take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances including dealing with disruptive behaviour.

Where it becomes clear that an investigation by the police or the Buckinghamshire safeguarding team/social services is unnecessary or the strategy discussion or initial evaluation decides that is the case the external bodies involved will discuss the next steps with the Headmaster (also DSL) and the Chair of Governors. In these circumstances the options depend on the nature and circumstances of the allegation and the evidence and information available, and could range from taking no further action to summary dismissal or a decision not to use the person's services in the future.

Gayhurst recognises that it is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations will be investigated as a

priority so as to avoid any delay. The time taken to investigate and resolve individual cases will depend on a variety of factors including the nature, seriousness and complexity of the allegation. For cases where it is clear immediately that the allegation is unfounded or malicious then it is expected that they should be resolved within one week. Where it is deemed that the allegation does not constitute a criminal offence the usual school disciplinary procedures including a disciplinary hearing if necessary should be followed.

The school will act to manage and minimise the stress inherent in the allegations and disciplinary process as a matter of a duty of care to employees. The member of staff will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action unless there is an objection by the external agencies. He or she will be advised to contact their trade union representative if they have one or a colleague for support. He or she will be given access to a senior member of staff as a named contact to provide information regarding the progress of the case and any work related issues.

Social contact with colleagues and friends will not be prevented unless there is an indication that such contact is likely to be prejudicial to the gathering and presentation of evidence.

When an allegation is made the school will make every effort to maintain confidentiality and guard against unwanted publicity while investigations are carried out making due regard to the Education Act 2002 related to reporting restrictions preventing publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of a pupil from the same school. The school will take advice from the external agencies to agree:

Who needs to know and importantly what information can be shared;

How to manage speculation, leaks and gossip;

What if any information can be reasonably given to the wider community to reduce speculation;

How to manage press interest if and when it should arise.

In accordance with the Association of Chief Police Officers (ACPO) guidance the police will not normally provide any information to the press or media that might identify an individual who is under investigation unless and until the person is charged with a criminal offence and unless there are exceptional circumstances that dictate a departure from this principle.

If a member of staff tenders his/her resignation or ceases to provide their services, this will not prevent an allegation being followed up in accordance with these procedures. Ceasing to use a person's services includes: dismissal; non-renewal of a fixed term contract; not continuing with the employment of a probationer, 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 training or volunteering.

Every effort will be made to reach a conclusion in all cases where allegations relating to the safety or welfare of children are concerned.

Wherever possible the member of staff will be given the opportunity to answer and make representations with regard to the allegation.

A 'compromise agreement' will not be used as a means of resolving any allegation nor will it prevent disclosure as a statutory duty to bodies such as the DBS and the NCTL where appropriate.

Cases in which an allegation was proven unsubstantiated, unfounded or malicious will not be included in employer references nor will a history of repeated concerns or allegations which have all been found to be the same.

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

The purpose of this record is to enable accurate information to be given in response to any future request for a reference where appropriate. (It could provide clarification in cases where future DBS disclosures reveals information from the police about an allegation that did not result in a criminal conviction and it could help to prevent unnecessary re-investigation if an allegation re-surfaces after a period of time.) The record will be retained on the school Child Protection file for a period of 10 years from the date of leaving the employment of the school.

The police or the CPS will inform the school and any external agencies straight away when a criminal investigation and any subsequent trial is complete or if it is decided to close an investigation without charge or not to continue to prosecute the case after the person has been charged. In these circumstances the external agencies involved will discuss with the Headmaster and the Chair of Governors whether any further action, including disciplinary action, is appropriate and if so how to proceed. The information provided by the police and/or the external agencies can inform that decision. The options will depend on the circumstances of the case and the consideration will need to take account of the result of the police investigation or the trial as well as the different standard of proof required in disciplinary and criminal proceedings.

If the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, the external agencies involved should discuss with the Headmaster and the Chair of Governors whether a referral to the Disclosure and Barring Service is required. There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct (including inappropriate sexual conduct) that harmed (or is likely to harm) a child or if a person otherwise poses a risk of harm to a child.

In such circumstances the duty to refer an individual to the DBS arises where an employer has removed the individual from relevant work with children or the person has chosen to cease relevant work in circumstances where they would have been removed if they had not done so. The school will also make a referral to the DBS and the NCTL where a teacher has been dismissed (or would have been dismissed if they had not resigned) for reasons of unacceptable professional conduct that may bring the profession into dispute or a conviction at any time for a relevant offence. Referrals will be made as soon as possible after the resignation or removal of the member of staff involved and within one month of ceasing to use that person's services.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work the school will consider how best to facilitate this bearing in mind that most

people will benefit from some help and support to return to work after a very stressful experience.

Depending on the individual's circumstances a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The school will also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil(s) at the school.

If an allegation is determined to be unsubstantiated or malicious the Headmaster should refer the matter to the children's social care services to determine whether the child concerned is in need of services or may have been abused by someone else.

If an allegation is shown to be deliberately invented or malicious the Headmaster will consider if any disciplinary action is appropriate against the pupil who made it or the police could be asked to consider whether any action might be appropriate against the person responsible even if he or she was not a pupil at the school.

Where a parent has made a deliberately invented or malicious allegation the Headmaster will consider whether to require that parent to withdraw their child or children from the school on the basis that they have treated the school or a member of staff unreasonably.

At the conclusion of a case in which an allegation is substantiated the external agencies will review the circumstances of the case with the Headmaster and the Chair of Governors to determine whether there are any improvements to be made to the school's procedures or practice to help similar events in the future. This will include issues arising from the decision to suspend the member of staff the duration of the suspension and whether or not suspension was justified.

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so. **All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues; if necessary they should speak to the delegated Governor, Anne Hatton. All staff will have read and be aware of the Gayhurst School Code of Conduct for Staff and the school Whistle blowing policy with regard to safeguarding and other issues.**

## 16. Links

Reference should also be made to the schools anti-bullying policy, behaviour policy, the staff code of conduct, the school Whistle blowing policy, Intimate Care policy, Missing person policy, ICT and e-safety policy, the Staff Handbooks and all issues pertinent to the well-being and safety of the children at the school.

## 17. Contacts

### School:

Designated Safeguarding Lead at Gayhurst: Head, Gareth Davies

Deputy Designated Safeguarding Lead at Gayhurst: Head of Junior School, Joan Terrar

Nominated Governor: Anne Hatton

Chair of Governors: Caroline Shorten Conn

**External:**

Safeguarding in Education Team (SIET) 01296 382070

LADO Therese McAlorum (SIET Manager) 01296 382070

Social Care for Children's Services 01494 675802 (emergency line)/ 0845 460001

Thames Valley Police (CAIU) 08458 505505

Local Safeguarding Children Board [www.bucks-lscb.org.uk](http://www.bucks-lscb.org.uk)

Local Guidance [www.bucks-lscb.org.uk/EducationStaff.htm](http://www.bucks-lscb.org.uk/EducationStaff.htm)

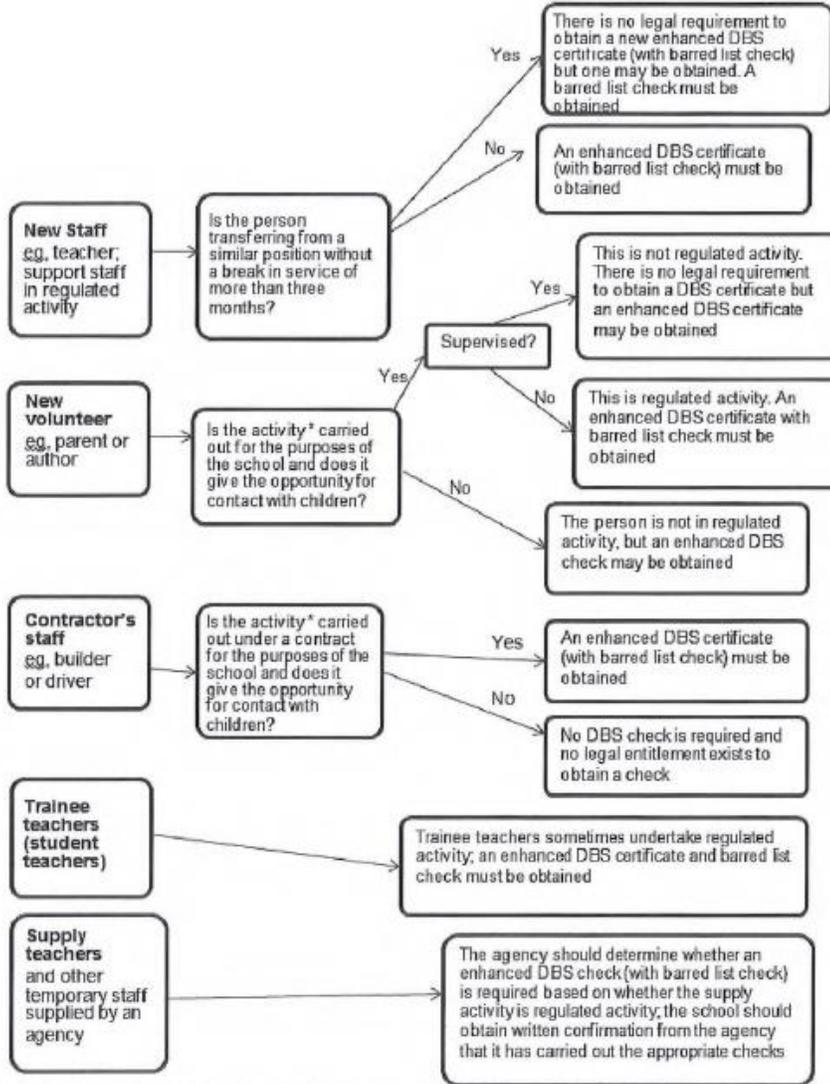
DBS Referral address: DBS, PO Box 110, Liverpool, L69 3JD, Tel: 0870 9090 811

NSPCC: 0800 028 0285

Appendix A: Safer recruitment flowchart:

For information only. Guidance will commence on 5 September 2016

**Flowchart of Disclosure and Barring Service criminal record checks and barred list checks**



\* Activities listed under the guidance's definition of regulated activity and which are carried out frequently

## Appendix B: Safeguarding and FGM

### **SPECIFIC FACTORS THAT MAY HEIGHTEN A GIRL'S OR WOMAN'S RISK OF BEING AFFECTED BY FGM**

There are a number of factors in addition to a girl's or woman's community or country of origin that could increase the risk that she will be subjected to FGM:

- The position of the family and the level of integration within UK society - it is believed that communities less integrated into British society are more likely to carry out FGM.
- Any girl born to a woman who has been subjected to FGM must be considered to be at risk of FGM, as must other female children in the extended family.
- Any girl who has a sister who has already undergone FGM must be considered to be at risk of FGM, as must other female children in the extended family.
- Any girl withdrawn from Personal, Social and Health Education or Personal and Social Education may be at risk as a result of her parents wishing to keep her uninformed about her body and rights.

### **INDICATIONS THAT FGM MAY BE ABOUT TO TAKE PLACE SOON**

The age at which girls undergo FGM varies enormously according to the community. **The procedure may be carried out when the girl is newborn, during childhood or adolescence, at marriage or during the first pregnancy.** However, the majority of cases of FGM are thought to take place between the ages of 5 and 8 and therefore girls within that age bracket are at a higher risk.

It is believed that **FGM happens to British girls in the UK as well as overseas** (often in the family's country of origin). Girls of school age who are subjected to FGM overseas are thought to be taken abroad at the start of the school holidays, particularly in the summer holidays, in order for there to be sufficient time for her to recover before returning to her studies. There can also be clearer signs when FGM is imminent: It may be possible that families will practise FGM in the UK when a female family elder is around, particularly when she is visiting from a country of origin.

#### Multi-Agency Practice Guidelines: Female Genital Mutilation

- A professional may hear reference to FGM in conversation, for example a girl may tell other children about it
- A girl may confide that she is to have a 'special procedure' or to attend a special occasion to 'become a woman'.
- A girl may request help from a teacher or another adult if she is aware or suspects that she is at immediate risk.
- Parents state that they or a relative will take the child out of the country for a prolonged period.
- A girl may talk about a long holiday to her country of origin or another country where the practice is prevalent (see Section 2.5 for the nationalities that traditionally practise FGM).
- Parents seeking to withdraw their children from learning about FGM.

#### INDICATIONS THAT FGM MAY HAVE ALREADY TAKEN PLACE

It is important that professionals look out for signs that FGM has already taken place so that:

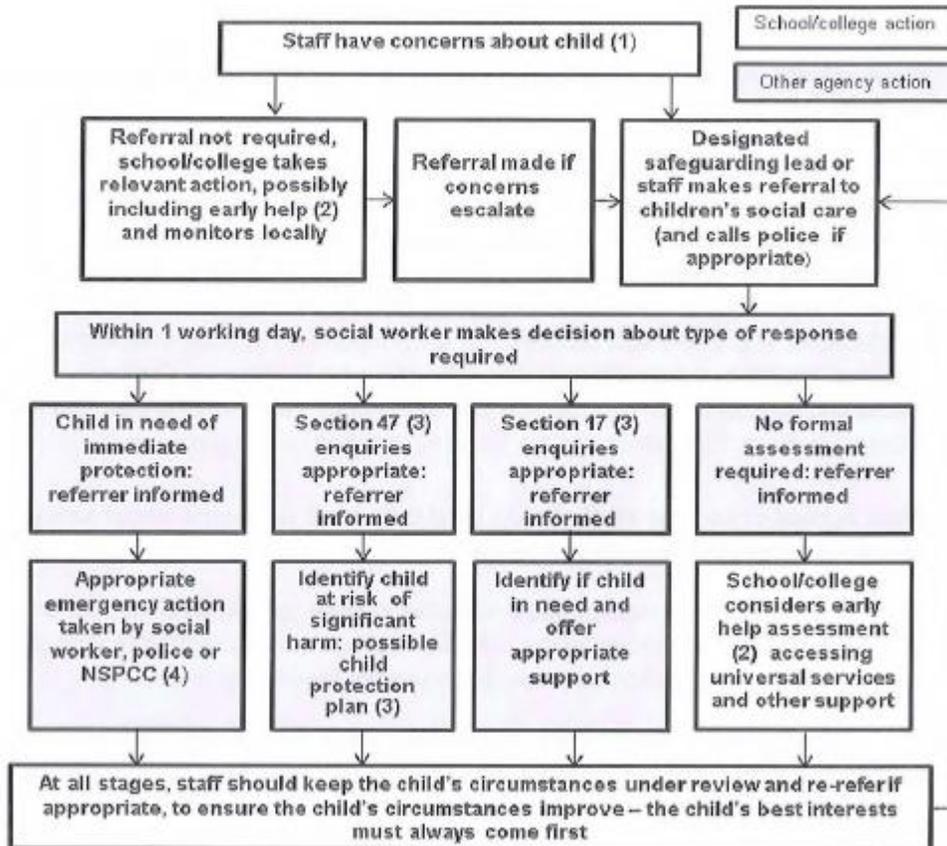
- the girl or woman affected can be supported to deal with the consequences of FGM (see Sections 2.10 and 2.11).
- enquiries can be made about other female family members who may need to be safeguarded from harm.
- criminal investigations into the perpetrators, including those who carry out the procedure, can be considered to prosecute those breaking the law and to protect others from harm.

There are a number of indications that a girl or woman has already been subjected to FGM:

- A girl or woman may have difficulty walking, sitting or standing and may even look uncomfortable.
- A girl or woman may spend longer than normal in the bathroom or toilet due to difficulties urinating. A girl may spend long periods of time away from a classroom during the day with bladder or menstrual problems.
- A girl or woman may have frequent urinary, menstrual or stomach problems.
- There may be prolonged or repeated absences from school or college.
- A prolonged absence from school or college with noticeable behaviour changes (e.g. withdrawal or depression) on the girl's return could be an indication that a girl has recently undergone FGM.
- A girl or woman may be particularly reluctant to undergo normal medical examinations.
- A girl or woman may confide in a professional.
- A girl or woman may ask for help, but may not be explicit about the problem due to embarrassment or fear. A girl may talk about pain or discomfort between her legs.

Appendix C:

**Actions where there are concerns about a child**



**My signature is proof that I have read and understood the above:**