



Safeguarding Children Policy

Key Contacts for Safeguarding and Child Protection at Toucanto

James Dunford - Designated Safeguard Lead

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Others within the educational centre with any responsibilities for Child Protection / Safeguarding Contact details

Local Authority Safeguarding contact numbers and emails

During Office Hours

Telephone Contact Email

Out of Office Hours or call 111 Practitioner advice line

If you are concerned about extremism in educational centre, or if you think a child might be at risk of extremism, contact the helpline on 020 7340 7264 or counter.extremism@education.gov.uk

1. Purpose of Policy

Toucanto fully recognises its responsibilities for safeguarding children. Our students' welfare and safety are at the heart of our educational centre's ethos and in everything we do.

In this policy, a 'child' means all children and young people below 18 years of age.

In accordance with relevant law and guidance, as set out below in the second section, this policy details our procedures for safeguarding and child protection.

It is applicable to the whole educational centre community. Safeguarding and promoting the welfare of children is everyone's responsibility, whether they work or volunteer in the educational setting. Everyone has a role to play in child protection and safeguarding.

All staff and volunteers will ensure that their approach and actions are child-centred. This means that they'll consider,

at all times, what is in the best interests of the child. Because of the day to day contact with students, educational centre staff and volunteers are well placed to observe signs of harm, abuse, neglect, peer on peer sexual violence and sexual harassment, victimisation and/or exploitation.

Toucanto ensures that arrangements are in place to safeguard and promote the welfare of students by:

- Creating and maintaining an environment where all students feel secure, are encouraged to communicate, and are listened to.
- Making sure that all students know which adults in the educational centre they can approach if they have any worries. [Details are on the website and in the student information]
- Teaching students to keep themselves safe from all forms of abuse including: child sexual exploitation, female genital mutilation, forced marriage, extremism, radicalisation, and peer on peer abuse including sexual violence and sexual harassment.



- Appointing senior members of staff from the educational centre leadership team to the roles of Designated and Deputy Safeguarding Leads.
- Providing effective, relevant and ongoing training and development for all staff and Governors. We do this through a variety of external providers, including local authority, prevent leads, and local County Lines Officers and online training to ensure best practice.
- Swiftly and effectively addressing any concerns and ensuring robust, timely referrals are made to other agencies. Ensuring effective links with relevant agencies in all matters regarding safeguarding and child protection.
- Reviewing and supporting students who are subject to child protection plans and contributing to the implementation of the plan.
- Keeping meticulous, written records of concerns about students, even where there is no need to refer the matter immediately (this includes recording dates, times, people responsible, and actions), and ensuring all records are kept securely and shared appropriately.
- Ensuring the suitability of all staff through safe recruitment practice and maintaining an accurate and up to date Single Central Register.
- Making sure that all educational centre staff and volunteers understand their responsibilities with regard to safeguarding and child protection.
- Ensuring that parents and carers also have an understanding of the responsibility placed on the educational centre and its staff for safeguarding and child protection.
- Maintaining awareness of those students who are persistently absent or missing from educational centre, notifying the local authority in line with 'Children Missing in Education' protocols.
- Maintaining clear procedure in line with the latest guidance for reporting allegations against staff members.

Furthermore, Toucanto recognises that:

- Some students are at increased risk of abuse.
 - Some students face additional barriers with respect to recognising or disclosing abuse.
- The educational centre is committed to recognising diversity and ensures anti-discriminatory practices. We ensure that all students have the same protection. We give special consideration to students who:
- Have special educational needs (SEN) or disabilities (further information is in section 9).
 - Are young carers.
 - Show signs of mental health problems.
 - Are missing education.
 - May experience discrimination due to their race, ethnicity, religion, gender identification, or sexuality.
 - Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation.
 - Are asylum seekers.
 - Have English as an additional language.
 - Are known to be living in difficult situations e.g. where there are issues at home, such as: substance abuse/misuse or domestic violence or where a family member has mental health needs.
 - Are at risk due to either their own or a family member's mental health needs.



- Are within the care system and are looked after or have been previously looked after or have a social worker.

2. Safeguarding Children

2.1

Toucanto recognises that safeguarding covers a broad range of areas and it aims to achieve the following:

- Protecting children from maltreatment.
- Preventing impairment of children's mental and physical health and/or development.
- Ensuring children are growing up in circumstances consistent with the provision of safe and effective care.
- Undertaking that role so as to enable children to have optimum life chances, so they can enter adulthood successfully

2.2

As part of meeting a child's needs, Toucanto:

- Recognises that sharing information, particularly with safeguarding partner agencies and other professionals, in a timely manner is crucial in identifying and tackling all forms of abuse and neglect. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children. The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe.
- Recognises that, to facilitate the sharing of 'special category personal data,' the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- Will identify children who may benefit from the Early Help process and make timely disclosures to the Local Authority to enable that process to begin. Working with safeguarding partners and other professionals to assist with these assessments and work flowing from these assessments.
- Recognises that mental health issues can be an indicator of abuse and neglect and will share any such concerns appropriately.
- Will identify students who may be suffering from significant harm and make child protection referrals.
- Will identify students who need extra help and make appropriate referrals, including to early help service, to prevent concerns escalating.

2.3

Toucanto also understands the importance of contextual safeguarding, i.e. that incidents or behaviours can be associated with factors outside the educational centre and can occur between children outside of educational centre. All staff should be considering the context within which such incidents and behaviours occur. This is known as contextual safeguarding and simply means that assessments should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.



3. Legislation and guidance

This policy for Toucanto is derived from a variety of legislative provisions and statutory guidance. In particular, it is based on good practice found in:

- Keeping Children Safe in Education (2020).
- Working Together to Safeguard Children (2018).
- Governance Handbook.

Our safeguarding policy and procedures comply with all of this guidance and is updated with local arrangements agreed and published by the three local safeguarding partners.

The following legislation is also incorporated into this policy:

- The Children Act 1989 (and 2004 amendment), which gives a broad framework for the care and protection of children and includes provisions for Local Authority inquiries, care proceedings, and emergency provisions.
- Female Genital Mutilation Act 2003 S 5B(11), as inserted by section 74 of the Serious Crime Act 2015, places a statutory duty on teachers to report to the police where they discover/find that female genital mutilation (FGM) appears to have been carried out on a girl under 18. Responsibilities for safeguarding and supporting girls affected by FGM are found in Statutory guidance on FGM.
- The Rehabilitation of Offenders Act 1974 outlines provisions for when people with criminal convictions can work with children.
- ‘Regulated activity’ in relation to children is found in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006.
- educational centres’ “PREVENT” duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism can be found in: Statutory guidance on the Prevent duty. Other statutory provisions relevant to child protection and safeguarding include:
 - The Education Act 2002 (section 175/157).
 - The Education (pupil information) (England) Regulations 2005.
 - Prevent Duty Guidance for England and Wales – September 2015.
 - The Sexual Offences Act, 2003, Home Office.
 - Teaching on-line safety in educational centres, DfE, 2019.

A full list of the guidance this policy has referred to, and which staff can refer to for further information, can be found in Appendix 3: ‘The educational centres’ Statutory Duty.

The duty for all academies, including free educational centres and all independent educational centres, to safeguard and promote the welfare of pupils at the educational centre is set down in Part 3 of the schedule to the Education (Independent educational centre Standards) Regulations 2014.

Toucanto’s policy reflects these duties and complies with our training agreement and articles of association.



3.1 Related Policies

Safeguarding covers more than the contribution made to child protection in relation to individual young people. It also encompasses issues such as staff conduct, health and safety, bullying, online safety, arrangements for meeting medical needs, providing first aid and/or intimate care,

drugs and substance misuse, positive behaviour management, and the use of physical intervention and restraint.

This document must therefore be read, used, and applied alongside the educational centre policies and procedures referred to below:

The Single Central Record of identity, qualification, and vetting checks for all staff and volunteers.

- The staff recruitment and selection processes, in line with the Children's Workforce Development Council procedures.
- dealing with allegations against members of staff.
- The guidelines for visitors.
- The Safer Working Practices guidelines for staff and volunteers.
- Staff Code of Conduct
- Data Protection Policy.
- Online Safety Policy.
- The guidelines for using a computer and personal technology in educational centre (students).
- The educational centre's 'Ladder of Consequences' in relation to the acceptable use of ICT equipment by students.
- The Behaviour and Anti-bullying Policy.
- The Confidentiality Policy.
- The Health and Safety Policy.
- The Whistleblowing Policy.

4.

Toucanto recognises that safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their parents or carers has a role to play in safeguarding children.

All staff working (including visiting staff and volunteers) in Toucanto are required to:

- Read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, Keeping Children Safe in Education, and review this guidance at least annually.
- Be aware of our child protection and safeguarding policy and procedures, including referrals to statutory agencies. They must understand the role of the DSL and know how to deal with children missing from education.
- Observe and comply with the staff code of conduct.
- Attend all relevant training and development provided by the educational centre and be aware of all their responsibilities in line with Keeping Children Safe in Education 2020.
- Know how to deal with a disclosure. If a student discloses to a member of staff that they are being abused, the staff member should follow the guidance set out in Appendix 1.



- Report instances of actual or suspected child abuse or neglect to the Designated Safeguarding Lead, or in their absence, the Deputy, in line with the Child Protection Procedures and legal duty for reporting FGM as set out in this policy.
- Understand the educational centre's management policy and procedure and knows what to do in the event of an allegation made against someone working with children.
- Be alert to the signs of harm and abuse, including issues that can manifest themselves due to peer on peer abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), gender-based violence/sexual assaults and sexting. Staff should follow the Child Protection Procedures with regards to peer on peer abuse as outlined in this policy. Further information can be found in Appendix 2.
- Know the Designated and Deputy Safeguarding Lead's name and contact details including telephone numbers and email.
- Be aware of the early help process. This includes identifying emerging problems, liaising with the Designated Safeguarding Lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.

The Governing Body will:

- Assess the impact of this policy in keeping children safe.
- Contribute any local, contextual information that may support children's safety and welfare.
- Appoint a nominated governor to liaise with the Learning coordinator and Designated Safeguarding Lead (DSL) on Safeguarding issues.
- Receive and consider regular reports from the Learning coordinator about the effectiveness of safeguarding and child protection at the educational centre.
- Keep abreast of training to ensure that staff have the skills, knowledge and understanding necessary to keep all children safe.
- Review and annually approve the safeguarding policy, ensuring it complies with all law, regulation and good practice. They will also hold the DSL to account for its implementation.
- Ensure all Governors read Keeping Children Safe in Education 2020.
- Receive any allegations made against the headteacher.

All Governors must read Keeping Children Safe in Education.

The Learning Coordinator will:

- Be responsible for the implementation of this and all related policies and procedures, ensuring that the outcomes are monitored.
- Ensure that whilst the activities of the Designated Safeguarding Lead (DSL) can be delegated to appropriately trained deputies, the ultimate lead responsibility for safeguarding and child protection, as set out below, remains with the DSL.
- Meet regularly with the DSL.
- Ensure that the DSL has appropriate time, funding, training, and resources to fulfil all of their functions and ensure adequate cover in the event that the DSL isn't available.



- Ensure that everyone connected to the educational centre is aware of this policy including safeguarding and child protection procedures.
- Attend advanced training with an accredited provider.
- Ensure that all staff are vigilant to harm and abuse, are able to identify those students for whom there are child

protection concerns, and can make appropriate referrals, including to early help services.

- Be alert to the signs of harm and abuse and specific safeguarding issues including but not limited to: Child Sexual Exploitation (CSE); Child Criminal Exploitation including County Lines activity; serious violent crime including serious violent sexual offences; peer on peer abuse, FGM, and radicalisation. Peer on peer abuse can manifest itself in many ways but often in bullying (including cyber bullying) gender based violence / sexual assaults and sexting. Staff should follow the Child Protection Procedures with regards to peer on peer abuse as outlined in this policy.

- Appoint a designated teacher to promote the educational achievement and welfare of students who are looked after and to ensure that this person has appropriate training.
- Communicate clearly to educational centre councillors, visitors, parents, and students so everyone understands the educational centre's safeguarding policy and procedures.
- Appoint a DSL and Deputy DSL giving consideration to the range of responsibilities the DSL undertakes, e.g. the DSL needs to have the flexibility to act immediately on a referral that requires an urgent response and time to attend lengthy meetings or case conferences.
- Ensure that contact and role details of the DSL and Deputy DSL are clearly displayed in staff online areas and the website (along with this policy).
- Report to the Governing Body regularly regarding the effectiveness of safeguarding and implementation of related policies.
- Ensure safe recruitment practice is followed when recruiting for posts, and ensure appropriate action is taken when an allegation is made against a member of staff.
- Ensure all appropriate checks are made in relation to all staff, volunteers, and visitors, including Section 128 checks for educational centre Governors.
- Ensure the educational centre offers a safe environment via a robust health and safety policy and procedure to meet the statutory responsibilities for the safety of students and staff at the educational centre.

The Designated Safeguarding Lead is responsible for:

- Being available for all staff to discuss any safeguarding issues or concerns.
 - Ensuring all staff are aware of the DSL and deputy contact details.
 - Ensuring that all cases of suspected or actual problems associated with child protection or safeguarding concerns (including cases where the early help process may be appropriate) are referred to the appropriate agencies in line with procedures set out in this policy, keeping the Head Teacher appraised.
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- Ensuring the educational centre's safeguarding policy and practice is relevant and consistent with the most recent statutory guidance outlined in Appendix 3 and 4.



- Being aware of the latest national and local guidance and requirements and keeping the Head Teacher and staff informed as appropriate.
 - Attending accredited, enhanced training each year, as required to fulfil the role.
 - Ensuring that appropriate training for staff (including periodic updates via e-bulletins, email, or as part of staff meetings) is organised according to the agreed programme with the Learning coordinator and renewed through ongoing professional development.
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- Ensuring families are fully aware of the educational centre policies and procedures and kept informed and involved.
 - Ensuring that effective communication and liaison takes place between the educational centre and the Local Authority or partner agencies, and any other relevant agencies, where there is a Safeguarding concern in relation to a student.
 - Ensuring that all staff have an understanding of child abuse, neglect, and peer on peer abuse (including serious violence and serious sexual violence, Child Criminal Exploitation, FGM, and Prevent) and their main indicators, including for looked after children and additional vulnerabilities of children with special educational needs and disabilities (SEND).
 - Maintaining details of any looked after child's social worker and the name of the Virtual educational centre Head (in the authority that looks after the child).
 - Dealing with allegations of abuse, including assessments for early help, in accordance with local and statutory procedures.
 - Supporting the staff member in liaising with other agencies and setting up an interagency assessment as appropriate if early help is appropriate.
 - Ensuring that adequate reporting and recording systems are in place.
 - Liaising with the Governing Body's nominated governor for safeguarding.
 - Ensuring relevant records (and further information not contained in the child's child protection file) are passed on appropriately when students transfer to other educational centres, or are being educated at alternative provision or off-site education.
 - Being aware of children who are or who may be living in a private fostering arrangement. The Local Authority Private Fostering Officer is known to the educational centre and ensures liaison to support the welfare and safety of the child.
 - Undertaking the Children and Safeguarding Board Executive (LSBC) annual safeguarding audit.
 - Referring suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly.
 - Contributing and helping other staff to contribute to early help assessments.
 - Meeting regularly with the Head Teacher to discuss safeguarding issues including outcomes and implementation of actions relating to case conferences and core groups and all current case work. Other key staff will be invited as appropriate. Safeguarding matters arising will be discussed routinely at each staff and/or Senior Leadership Team (SLT) meeting.



- [Include if your educational centre interacts with a Virtual educational centre provision]
Working with the relevant Virtual educational centre Head to discuss how funding can be best used to support the progress of looked after children at the educational centre and meet the needs identified in the student's personal education plan.

5. Child Protection Procedures

5.1

Staff at Toucanto will follow the necessary child protection procedures if an incident occurs.

They will be made aware that:

- Where a child is in immediate danger or at risk of harm, a referral should be made to children's social care and/or the police immediately.
- Anyone can make a referral.
- Staff should not assume that somebody else will take action/share information that might be critical in keeping children safe.
- Where referrals are not made by the Designated Safeguarding Lead, the Designated Safeguarding Lead should be informed, as soon as possible, that a referral has been made.
- The reporting of concerns relating to Female Genital Mutilation (FGM) is mandatory.
- The DSL or Deputy DSL will always be available to discuss safeguarding concerns.

When a member of staff at Toucanto suspects that any student may have been subject to abuse, or a student has suggested that abuse has taken place either to themselves or another student, the allegation must be reported immediately to the Designated Safeguarding Lead (DSL) or the Deputy DSL if the DSL is off site.

The DSL or Deputy DSL will:

- Ensure the allegation is acted on within the educational centre day.
- Ensure that the Learning coordinators is informed of all allegations unless the allegation is against the Head, in which case the Chair of Governors will be informed.
- Deal with the allegation in accordance with the agreed procedures. In the case of a violent sexual assault or sexual harassment matter, Toucanto will follow the latest procedures as set out in Keeping Children Safe in Education 2020, which can be found in Appendix D.
- Be best placed to carry out a risk assessment of the issue and determine the escalation and timescales for dealing with the allegation.

It is best practice to ensure that all colleagues who are involved in the allegation are informed of the outcome, so there is closure or continual vigilance as necessary.

Allegations of Abuse

Appendix 1 provides guidance and detail about:

- Each child abuse category.
- Potential signs of abuse.
- Specific procedures about how to deal with a disclosure.

5.2 Female Genital Mutilation (FGM)



The FGM Mandatory Reporting Duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires teaching staff to make a report to the police where, in the course of their professional duties, they either:

- Are informed by a girl under 18 that an act of FGM has been carried out on her; or they
- Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth.

5.3 Allegations Against Members of Staff

All allegations of abuse made against a member of staff (including supply teachers and volunteers) in relation to a student must be brought to the attention of the Head Teacher and where appropriate the Designated Safeguarding Lead immediately. The Head Teacher will act in a co-ordinating role.

In the event the Head Teacher is the subject of the allegation, the DSL will report to the Chair of Governors immediately to establish (as outlined in KCSIE 2020) 'the nature, content and context of the allegation' and agree the appropriate course of action. In some cases, allegations may be so serious that they will require immediate intervention by the police and/or children's social care services.

If the allegation against a teacher or member of staff (including supply teachers and volunteers) meets any of the following criteria, the Head Teacher (or other lead person) must report it to the Local Authority Designated Officer (LADO) the same day:

- They have behaved in a way that has harmed a child, or may have harmed a child.
- They possibly committed a criminal offence against or related to a child.
- They have behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- They've behaved towards a child or children in a way that indicates he/she is unsuitable to work with children.

For other allegations, the Head Teacher and DSL will decide if further enquiries are required prior to referral to the Local Authority Designated Officer.

Where the Head Teacher considers that a referral may be warranted under Child Protection Procedures and an allegation appears to meet the criteria, the Head Teacher will inform the Local Authority's Designated Officer.

The Local Authority's Designated Officer (LADO) must be informed of all allegations that come to the educational centre's attention that meet the criteria, so that he/she can consult the police and social care colleagues as appropriate. The Local Authority Designated Officer should also be informed of any allegations that are made directly to the police or to children's social care. All alleged physical injuries must be investigated by the appropriate external agencies.

[Include the following if you are an early years provider] Where appropriate, the educational centre will inform Ofsted of the allegation and actions taken, within the necessary timescale.

5.4 Whistleblowing

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



General guidance on whistleblowing can be found via: <https://www.gov.uk/whistleblowing>
The NSPCC's "what you can do to report abuse" dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their educational centre. Staff can call 0800 028 0285, which is available from 8:00am to 8:00pm, Monday to Friday, and email help@nspcc.org.uk.

5.5 Training for staff

Toucanto ensures all staff complete safeguarding and child protection training as part of their induction. The educational centre also has a commitment to updating training for all staff each year and for appropriate staff to attend Local Authority and Inter-Agency Safeguarding Board Meetings.

To achieve this:

- Time will be given to enable this commitment to be met.
- The Designated Safeguarding Lead (DSL) and Deputy DSL will receive relevant training every year.
- All staff and volunteers new to the educational centre will be given appropriate safeguarding training as part of their induction programme to the educational centre. Updates will feature regularly in all staff and SLT meetings, as appropriate.
- All educational centre staff and Governing Body members will undertake the training at least every two years as organised by the DSL.
- Newly recruited staff will complete the online training as part of their induction and will receive educational centre-specific training, including being made aware of local risk factors for extremism.
- The DSL will attend Local Authority and other training courses as necessary and other appropriate inter-agency training every year.
- The DSL will attend Prevent training (WRAP) as provided by the Home Office and Local Authority.
- The Head Teacher will attend advanced training with a designated provider.
- The Senior Leadership team, Pastoral Leaders, and the Governing Body will attend training with a designated provider.

5.6 Suitability of staff and safe recruitment practices

The educational centre recognises that safe recruitment practices are an essential part of creating a safe environment for children and young people. Consequently, we will ensure that staff (including supply teachers) and volunteers working at the educational centre are suitable to do so and therefore do not pose any kind of risk to our students.

Appropriate members of SLT, Governors, and other relevant staff are required to complete Safer Recruitment Training in order to ensure that one panel member on every selection panel is trained in 'Safer Recruitment.'

6. Prevent duty - Safeguarding students who are vulnerable to extremism.

6.1 The educational centre's prevent strategy



[Enter the name of your educational centre here] follows the statutory guidance on the educational centre's responsibility to fulfil our Prevent Duty. We are aware that there have been occasions, both locally and nationally, in which extremist groups have attempted to radicalise vulnerable children to hold extreme views including those justifying political, religious, sexist, or racist violence, or to steer them into a rigid and narrow ideology that is intolerant of diversity and leaves them vulnerable to future radicalisation.

The Prevent strategy aims to stop people from becoming terrorists or supporting terrorism.

It is rare for children to become involved in terrorist activity. However, some students from an early age can be exposed to terrorist and extremist influences or prejudiced views.

Consequently, the educational centre takes the view that early intervention is always preferable and includes this in its procedures as it does for all safeguarding concerns.

In line with both the fundamental British Values and the educational centre Values, the following key principles underpin the community in which the educational centre is based:

- Inclusion.
- Tolerance.
- Freedom of speech.
- The expression of beliefs and ideology.

Both students and teachers have the right to speak freely and voice their opinions. However, freedom comes with responsibility. Free speech that is designed to manipulate the vulnerable or that leads to violence and harm of others goes against the moral principles in which freedom of speech is valued.

Free speech is subject to treating others with respect, understanding differences, equality, an awareness of human rights, community safety, and community cohesion. The Prevent statutory guidance requires educational centre to have clear protocols for ensuring that any visiting speakers are appropriately supervised and suitable.

The educational centre is committed to working with the local authority and other local partners, families, and communities to play a key role in ensuring young people and our communities are safe from the threat of terrorism. The DSL will keep up to date with all local policies and procedures relating to Prevent.

Staff must consider the level of risk to identify the most appropriate referral, which could include reference to Channel or Children's Social Care.

6.2 Visiting speakers

Visiting speakers will be expected to understand that, where appropriate, their session should actively promote the British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths

and beliefs and at no point undermine these. In some cases, the educational centre may request a copy of the visiting speaker's presentation and/or footage in advance of the session being provided.

Visiting speakers, whilst on the educational centre site, will be supervised by a educational centre employee. On attending the educational centre, visiting speakers will be required to show



an original current identification document that includes a photograph, such as a passport or photo card driving licence. The educational centre shall also keep a formal register of visiting speakers retained in line with its Data Protection Policy.

6.3 Reducing risks of extremism

The Learning coordinator and the Designated Safeguarding Lead will assess the level of risk within the educational centre and put actions in place to reduce that risk.

Visiting speakers, whilst on the educational centre site, will be supervised by a educational centre employee. On attending the educational centre, visiting speakers will be required to show an original current identification document that includes a photograph, such as a passport or photo card driving licence.

The educational centre shall also keep a formal register of visiting speakers retained in line with its Data Protection Policy.

Risk assessments will include:

- The use of educational centre premises by external agencies.
- Integration of students by gender and SEND.
- Anti-bullying policy.
- Other issues specific to the educational centre's profile and community.

There is no single way of identifying an individual who is likely to be susceptible to a terrorist/radical ideology. As with managing other safeguarding risks, all educational centre staff will be vigilant to changes in students' behaviour which could indicate that they may be in need of help or protection.

It is commonly recognised that children at risk of radicalisation may display changes in behaviour, show different signs or seek to hide their views. Staff are advised to use their professional judgement in identifying students who might be at risk of radicalisation and always act proportionately and seek support if they are concerned.

The educational centre recognises that the Prevent duty does not ask teachers to carry out unnecessary intrusions into family life, but as with any other safeguarding risk, they must take action when they observe behaviour of concern.

6.4 Potential signs of radicalisation and extremism

There is no limit to the signs that you might notice – every student is different. However, some of the indicators staff should look out for include:

- Vulnerability: identity crisis, personal crisis, migration, unmet aspirations, and history of criminality.
- Access to extremist influences: friendship groups, internet activity, activities abroad i.e. military camps, and vocalised support of illegal or extremist/militant groups.
- Experiences and influences: social rejection, personal impact from civil unrest and wide spread media coverage of international events, change in appearance and behaviour, family conflict over religious reviews, and verbal or written evidence of support for terrorist activities.



- Travel: pattern of regular extended travel, evidence of falsifying identity documents, and unexplained absences.
- Social factors: disadvantaged background, lack of empathy and/or affinity with others, severe learning difficulties or mental health, being a child of a foreign national or refugee, experience of trauma or sectarian conflict, and extremist views of a significant other.

It is always worth remembering that numerous factors can contribute to and influence the range of behaviours that are defined as violent extremism, but most children or young people do not become involved in extremist action. For this reason, the appropriate interventions in any particular case may not have any specific connection to the threat of radicalisation. For example, they may address mental health, relationship, or drug/alcohol issues.

6.5 Response

Toucanto will appoint a Prevent Single Point of Contact (SPOC) to be the lead within the educational centre for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism. This will normally be the Designated Safeguarding Lead.

6.6 SPOC Responsibilities

Raising Awareness

The Prevent Single Point of Contact (SPOC) role is to raise awareness in relation to all aspects of Prevent and the counterterrorism agenda generally. They also promote the necessity to safeguard vulnerable children and adults from being exploited and recruited into violent extremism. It is expected that the SPOC will ensure that staff are aware of the role and its responsibilities.

SPOCs are also expected to provide advice and guidance to staff within their educational centre. The Channel coordinators have a range of training packages available to help raise awareness. The aim of training the trainers is to streamline the safeguarding agenda and give everyone the necessary knowledge.

Receiving Referrals

It is expected that if a staff member within the educational centre identifies an individual vulnerable to radicalisation, they will contact the SPOC and/or DSL first to discuss the case internally. They should be asked to record their concerns and raise it, as they would with any other safeguarding concern, with the Local Authority. If deemed suitable, the staff member will be asked to complete the Referral and Assessment Form (RAF). This should then be emailed to the Channel coordinator at: channel.project@gmp.police.uk

The Channel Officer will then carry out an extensive risk assessment that aims to identify known risks and additional vulnerabilities. At no point will the person be recorded on a criminal records system as a result of being involved in this process. The coordinator will then complete a case summary and return it to both the SPOC and the staff member.

The SPOC should then arrange a multi-agency safeguarding meeting with the necessary professionals to support the vulnerable individual. Channel can assist this process by using our



list of SPOCs from other agencies to help ensure the right people are brought to the multi-agency meeting.

In addition to the above, links with the local Channel lead can be made by the DSL and where necessary, individual cases will be referred to the local Channel panel for screening and assessment.

More information on Channel Programme:

<https://www.gov.uk/government/publications/channel-guidance>

6.7 Training

Toucanto will ensure that the DSL will complete a local Workshop to Raise Awareness of Prevent (WRAP) and that this training will be cascaded to staff as part of the annual CPD training programme. This will be the responsibility of the DSL/SPOC.

7. Safeguarding students who are vulnerable to exploitation, child sexual exploitation, honour based abuse (forced marriage and female genital mutilation), and at risk from or involved with violent crime and peer-on-peer abuse.

All staff at Toucanto will be provided with an awareness of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education, and sexting (also known as youth produced sexual imagery) put children in danger.

7.1 Children Missing From Education

All staff should be aware that children who go missing from education, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation, and can also be a sign of child criminal exploitation including involvement in county lines.

It may also indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risks and to prevent the risks of a child going missing in future. All staff should be aware of Toucanto's unauthorised absence and children missing from education procedures, which are set out in section 9.

7.2 Child Criminal Exploitation

Child criminal exploitation (CCE) is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate, or deceive a child into criminal activity, in exchange for something the victim needs or wants, and/or for the financial or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.



The victim can be exploited even when the activity appears to be consensual. It does not always involve physical contact and can happen online. For example, young people may be forced to

work in cannabis factories, coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.

Staff should make themselves aware of issues surrounding County Lines.

How do you know if County Lines drug dealing is happening in your area?

Some signs to look out for include:

- An increase in visitors and cars to a house or flat.
- New faces appearing at the house or flat.
- New and regularly changing residents (e.g. different accents compared to local accent).
- Change in resident's mood and/or demeanour (e.g. secretive/ withdrawn/ aggressive/ emotional).
- Substance misuse and/or drug paraphernalia.
- Changes in the way young people you might know dress.
- Unexplained, sometimes unaffordable new things (e.g. clothes, jewellery, cars etc).
- Residents or young people you know going missing, potentially for long periods of time.
- Young people seen in different cars/taxis driven by unknown adults.
- Young people seeming unfamiliar with your community or where they are.
- Truancy, exclusion, and disengagement from educational centre.
- An increase in anti-social behaviour in the community.
- Unexplained injuries.

All staff should be aware of the associated risks and understand the measures in place to manage these.

All staff at [Enter the name of your educational centre here] will be made aware of the indicators that may signal children are at risk from, or are involved with, serious violent crime.

Signs may include:

- Increased absence.
- Change in friendships.
- New relationships with older individuals or groups.
- A significant decline in performance.
- Signs of self-harm.
- Significant change in wellbeing.
- Signs of assault.
- Unexplained injuries.
- Unexplained gifts or new possessions.

These could indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Indicators of CCE can include a child:

- Appearing with unexplained gifts or new possessions.
- Associating with other young people involved in exploitation.
- Suffering from changes in emotional wellbeing.
- Misusing drugs and alcohol.



- Going missing for periods of time or regularly coming home late.
- Regularly missing educational centre or education.
- Not taking part in education.

If a member of staff suspects CCE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

7.3 Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of child sexual abuse. It occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- a) in exchange for something the victim needs or wants, and/or
- b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

The following list of indicators is not exhaustive or definitive, but it does highlight common signs which can assist professionals in identifying children or young people who may be victims of sexual exploitation.

Signs include:

- Underage sexual activity.
- Inappropriate sexual or sexualised behaviour.
- Sexually risky behaviour, 'swapping' sex.
- Repeat sexually transmitted infections.
- In girls, repeat pregnancy, abortions, and miscarriage.
- Receiving unexplained gifts or gifts from unknown sources.
- Having multiple mobile phones and worrying about losing contact via mobile.
- Having unaffordable new things (clothes, a mobile phone, etc.) or expensive habits (alcohol, drugs, etc.).
- Changes in the way they dress.
- Going to hotels or other unusual locations to meet friends.
- Seen at known places of concern (e.g. brothels).
- Moving around the country, appearing in new towns or cities, not knowing where they are.
- Getting in/out of different cars driven by unknown adults.
- Having older boyfriends or girlfriends.
- Contact with known perpetrators.
- Involved in abusive relationships, intimidated, and fearful of certain people or situations.
- Hanging out with groups of older people, or anti-social groups, or with other vulnerable peers.
- Associating with other young people involved in sexual exploitation.
- Recruiting other young people to exploitative situations.



- Truancy, exclusion, disengagement with educational centre, opting out of education altogether.
 - Unexplained changes in behaviour or personality (chaotic, aggressive, sexual, etc.).
 - Mood swings, volatile behaviour, emotional distress.
 - Self-harming, suicidal thoughts, suicide attempts, overdosing, eating disorders.
 - Drug or alcohol misuse.
-
- Getting involved in crime.
 - Police involvement, police records.
 - Involved in gangs, gang fights, gang membership.
 - Injuries from physical assault, physical restraint, sexual assault.

7.4 Honour-based Abuse: Forced Marriage (FM)

This is an entirely separate issue from arranged marriage. It is a human rights abuse and falls within the Crown Prosecution Service definition of domestic violence.

Young men and women can be at risk in affected ethnic groups. Evidence shows that the issue of forced marriage affects certain sectors of communities, typically girls in the age range of 14 – 16 years old originating from Pakistan, India, and Bangladesh (approx. 60% of the cases) together with a percentage of cases of children originating from the Middle-East and African countries.

A signal of FM is the removal of the students from educational centre and lengthy absence which is often unexplained. Other indicators may be detected by changes in adolescent behaviours. Whistleblowing may come from younger siblings.

Any member of staff at Toucanto with any concerns should report this immediately to the DSL, who should raise the concern with the Local Police Safeguarding Unit by email or phone. Never attempt to intervene directly as an educational centre or through a third party. Whilst the onus of the investigation for criminal offences will remain with the Police, the DSL should co-operate and liaise with the relevant agencies in line with current child protection responsibilities.

7.5 Honour-based Abuse: Female Genital Mutilation (FGM)

There is a specific legal duty on teachers regarding FGM. If, during the course of their work, a member of staff discovers that an act of FGM appears to have been carried out on a girl under the age of 18 years, then they must report it to the police. All staff at [Enter the name of your educational centre here] will recognise this responsibility.

The 'One Chance' rule.

As with Forced Marriage, there is the 'One Chance' rule regarding FGM. This refers to staff potentially only having one chance to speak to a potential victim and thus may only have one chance to save a life. It is essential that the educational centre takes action without delay.

What is FGM?

Female genital mutilation involves procedures that intentionally alter/injure the female genital organs for non-medical reasons.

Why is it carried out?

It is often based on a belief that FGM:



Brings status/respect to the girl – social acceptance for marriage. Preserves a girl's virginity.
Is part of being a woman/rite of passage.

Upholds family honour.

Cleanses and purifies the girl.

Gives a sense of belonging to the community. Fulfils a religious requirement.

Perpetuates a custom/tradition.

Helps girls be clean/hygienic.

Is cosmetically desirable.

Is mistakenly believed to make childbirth easier.

FGM IS A CRIMINAL OFFENCE. There is no justification for this procedure.

All staff at [Enter the name of your educational centre here] will be made aware of FGM practices and the need to look for signs, symptoms, and other indicators of FGM.

All teachers have a mandatory responsibility to report FGM if they discover it (through disclosure not physical examination) to the police and informing the DSL immediately who will support (the Deputy DSL will take on this responsibility if the DSL is not available).

Circumstances and occurrences that may point to FGM happening include:

- The child talking about getting ready for a special ceremony.
- The child and their family taking a long trip abroad.
- The child's family being from one of the 'at risk' communities for FGM (Kenya, Somalia, Sudan, Sierra Leon, Egypt, Nigeria, Eritrea as well as non-African communities including Yemen, Afghani, Kurdistan, Indonesia, and Pakistan).
- Knowledge that the child's sibling has undergone FGM.

- The child talking about going abroad to be 'cut' or to prepare for marriage.

Signs that may indicate a child has undergone FGM:

- Prolonged absence from educational centre and other activities.
- Behaviour change on return from a holiday abroad, such as being withdrawn and appearing subdued.
- Bladder or menstrual problems.
- Finding it difficult to sit still and looking uncomfortable.
- Complaining about pain between the legs.
- Mentioning something somebody did to them that they are not allowed to talk about.
- Secretive behaviour, including isolating themselves from the group.
- Reluctance to take part in physical activity.
- Repeated urinal tract infection.
- Disclosure.

Further guidance and information are available from:

NSPCC FGM Helpline

Contact days and times: 24 hours Tel: 0800 028 3550

Email: fgmhelp@nspcc.org.uk

7.6 Peer-on-peer abuse



All staff at Toucanto will be made aware that children can abuse other children (referred to as peer-on-peer). This is most likely to include, but may not be limited to:

- Bullying (including cyberbullying).
- Physical abuse such as hitting, biting, kicking, shaking, hair-pulling, or causing physical harm.
- Sexual violence, such as rape, assault by penetration, and sexual assault.
- Sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse.

- Upskirting, which is a form of abuse that has been high on educational centre and court agendas for a number of years and is a criminal offence in its own right under the Voyeurism (Offences) Act 2019. Upskirting occurs when someone takes a picture under a person's clothing, with or without underwear, without them knowing or without permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress, or alarm. It is a common aspect of peer-on-peer abuse and can happen to any gender.

- Sexting (also known as youth produced sexual imagery).
- Initiation/hazing type violence and rituals.

7.7 Sexting

Your responsibilities when responding to an incident

If you are made aware of an incident involving sexting (also known as 'youth produced sexual imagery'), you must report it to the DSL immediately.

You must not:

- View, download, or share the imagery yourself, or ask a pupil 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 pupil to delete it.
- Ask the pupil(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 pupil(s) it involves, or their, or other, parents and/or carers.
- Say or do anything to blame or shame any young people involved.

You should explain that you need to report the incident, and reassure the pupil(s) that they will receive support and help from the DSL.

This policy on sexting should also be shared with pupils so they are aware of the processes the educational centre will follow in the event of an incident.

8. Procedure for students identified as being 'at risk' or vulnerable to exploitation, child sexual exploitation; honour-based abuse (forced marriage and female genital mutilation), children who are at risk from or involved with violent crime and peer-on-peer abuse



Where risk factors are present but there is no evidence of a particular risk, the DSL/SPOC at Toucanto will advise staff on preventative work that can be done within the educational centre to engage the student into mainstream activities and social groups.

The DSL may well be the person who talks to the student's family where appropriate, sharing the educational centre's concern about the student's vulnerability and how the family and educational centre can work together to reduce the risk.

In this situation, depending on the level of concern and agreement with the parent and the student (as far as possible):

- The DSL can decide to notify the Multi-Agency Safeguarding Hub (MASH) of the decision so that a strategic overview can be maintained and any themes or common factors can be recognised; and
- The educational centre will review the situation after taking appropriate action to address the concerns.

The DSL will also offer and seek advice about undertaking an early help assessment and/or making a referral to Social Services or involving the local Safeguarding Children's Board. If the concerns about the student are significant and meet the additional needs/complex need criteria, he/she will be referred to the MASH. This includes concerns about a student who is affected by the behaviour of a parent or other adult in their household.

9. Children Missing in Education

All students, regardless of their circumstances or background, are entitled to full-time education that is suitable to their age, ability, aptitude, and any special educational needs and disabilities. The educational centre operates a strong attendance tracking system that is overseen by a member of the leadership team. The tracking and use of effective attendance management strategies enables the educational centre to ensure each day that every child is accounted for. The educational centre takes a range of actions to tackle Persistent Absentees and completes official reports on children who are persistently absent from educational centre.

The educational centre will only authorise leave of absence in exceptional circumstances. The Learning Coordinator, or Deputy in their absence, will determine the length of time that the child can be away from the educational centre.

The educational centre recognises that some children seeking leave of absence are vulnerable to risk of abuse, neglect, or travelling to conflict zones, or at risk of FGM or forced marriage. Attendance staff are trained to look out for these triggers and the educational centre works in partnership with the Local Authority to ensure localised risks are particularly taken note of and shared with all staff. Staff who have pastoral responsibility undergo training on attendance and safeguarding issues on an annual basis.

Where this is identified, staff should alert the DSL and Learning Coordinator. The DSL will, as soon as a concern is established, alert the Local Authority.

As a matter of course: student absence must be followed up on a daily basis – this must be a priority. Unless circumstances indicate that a student is at risk and immediate action is



necessary, the Local Authority will be informed of every student who has a continuous period of unexplained absence of three days or more.

The admissions register at the educational centre is kept up to date and the Local Authority is informed of all students who are removed from the educational centre roll when they:

- Have been taken out of educational centre by their parents and are being educated outside the educational centre system e.g. home education.
- Have ceased to attend educational centre and no longer live within reasonable distance of the educational centre at which they are registered.

- Have been certified by the educational centre medical officer as unlikely to be in a fit state of health to attend educational centre before ceasing to be of compulsory educational centre age, and neither he/she nor his/her parent has indicated the intention to continue to attend the educational centre after ceasing to be of compulsory educational centre age.
- Are in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the educational centre at the end of that period.
- Have been permanently excluded.

The local authority will be informed as soon as the grounds for deletion are met, in line with the local authority guidelines,

but no later than at the point of deleting the student's name from the roll.

No student will be removed from a educational centre roll until all safeguarding checks have been completed or the whereabouts of a student have been established.

10. Domestic Abuse

Domestic violence and abuse refer to any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children.

Operation Encompass

This initiative helps police and educational centres work together to provide emotional and practical help to children who have been involved in domestic abuse. When the police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the DSL) before the child or children arrive at educational centre the following day. This ensures that the educational centre has up to date and relevant information about the child's circumstances and can enable support to be given to the child according to their needs. DSLs should endeavour to alert relevant pastoral support staff as soon as possible where this is appropriate.

Police forces not signed up to operation encompass will have their own arrangements in place.



11. Online Safety

Toucanto's Online, E-Safety and Acceptable use of Technology Policies can be found on the educational centre website or upon request. All staff will be made aware of the contents.

The E-safety Policy and related policies must be read alongside this document and in conjunction with the DfE guidance: Teaching on-line safety in educational centres, 2019. Children must be safeguarded from potentially harmful and inappropriate online material. As such, the educational centre ensure appropriate filters and appropriate monitoring systems are in place.

Online safety is included in our curriculum provision and ensures children are taught about safeguarding, including online, through teaching and learning opportunities. This may include covering relevant issues through a variety of lessons and learning opportunities.

Although appropriate blocking is essential, it does not restrict our students learning or lead to unreasonable restrictions as to what our students can be taught with regards to online teaching and safeguarding. This policy sets out specific measures that ensure students in the educational centre work safely, including protection from terrorist or extremist material, peer abuse, and bullying via online platforms, including sexting.

12. Opportunities to teach

Toucanto will ensure that children are taught about safeguarding. This may include covering relevant topics through learning in general but is covered particularly in Relationships Education and Relationships and Sex Education. This will be delivered through PSCHE lessons. The subject of Relationships and Sex education is mandatory from September 2020.

13. Looked after children

All staff in Toucanto will have an awareness of issues around safeguarding looked after children. The leadership team will ensure that staff have the skills, knowledge, and understanding necessary to keep looked after children safe.

Staff will be aware of the legal status of a looked after child's care arrangements. In particular, they will ensure that appropriate staff have the information they need in relation to a student's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. They should also have information about the student's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The Designated Safeguarding Lead will have details of the student's social worker and the name of the virtual educational centre head in the authority that looks after the student.

The Head Teacher will appoint a Designated Teacher to promote the educational achievement of students who are looked after and to ensure that this person has appropriate training.

14. Pupils with a social worker



We recognise that children with social workers can need extra support. A child's experiences of adversity and trauma can leave them vulnerable to further harm as well as potentially creating barriers to attendance, learning, behavior and mental health.

The DSL and all members of staff will work with and support social workers to help protect vulnerable children.

Where we are aware that a pupil has a social worker, the DSL will always consider this fact to ensure any decisions are made in the best interests of the pupil's safety, welfare and educational outcomes. For example, it will inform decisions about:

- Responding to unauthorised absence or missing education where there are known safeguarding risks.
- The provision of pastoral and/or academic support.

15. Children who harm other children (Peer on peer abuse)

Toucanto recognises that children are capable of abusing their peers. Examples of this may include when children are violent or cause danger towards other children.

It can also be when children sexually abuse or sexually harass other children – please refer to Appendix 2.

Where a student's behaviour causes significant harm to other students, staff should follow the child protection procedures for the educational centre. The DSL will refer the child in line with the local area safeguarding protocol for these children.

16. Confidentiality and Record Keeping

Staff at Toucanto have a professional responsibility to share relevant information about the protection of children with the DSL and potentially external investigating agencies, where possible, under the guidance of the DSL.

If a student confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the student sensitively that he/she has a responsibility to refer the matter to the DSL.

Accurate, signed, and dated written notes must be kept of all incidents or Child Protection concerns relating to individual students. If a teacher or any other staff have a child protection concern, they should inform the DSL or Deputy DSL as soon as possible. These will be kept on the student's Child Protection file.

Child Protection records must be retained securely. Arrangement for Child Protection documentations must comply with the educational centres Data Protection Policy together with data protection law and regulation applicable at the time. The DSL will ensure that all Child Protection records are held separately from other student records. Child Protection files and documents will be stored securely, by encryption and/or password protecting electronic files or ensuring that paper records are in a locked cabinet with restricted access. Information from child protection files will only be shared with relevant staff when it is necessary to do so and in a manner that is consistent with data protection law.

If the educational centre receives a request for direct access to, or copies of, educational centre documentation held on a Child Protection file, the Head Teacher and DSL will be informed and a



decision taken on the appropriate way forward in accordance with the Data Protection Policy. It may be that the educational centres Data Protection Officer will be consulted or further legal advice sought.

In the event of a student who is being dealt with under the educational centre's child protection procedures transferring to another educational centre, the educational centre will:

- Find out the name of the receiving educational centre (and, where appropriate, the Local Authority).
- Contact the relevant member of staff at that educational centre to discuss the transfer.
- Securely send all information relating to the student to the receiving educational centre (and, where relevant, the Local Authority).
- Check with the receiving educational centre that the student has actually arrived there on the expected day (and inform all relevant agencies of the transfer).

Any external individual or organisation contracted by the educational centre to work with educational centre students must report any child protection incidents or disclosures from students to the Head Teacher or DSL at the earliest opportunity. Such bodies will, as part of

their contractual arrangements with the educational centre, be required to work in accordance with the educational centre's child protection and safeguarding policy. The educational centre has in place data sharing agreements and complies with all relevant data sharing protocols.

17. Working with parents / individuals with parental responsibility

Toucanto recognises the importance of working, where appropriate, in partnership with parents and carers to ensure the welfare and safety of our students.

The educational centre will therefore:

- Make parents aware of the educational centre's statutory role in safeguarding and promoting the welfare of students, including the duty to refer students on, where necessary, by making all policies available on the website and on request.
- Work with parents to support the needs of their child.
- Consider the safety of the student and, should a concern arise, the Designated Safeguarding Lead (DSL) has the responsibility to seek advice prior to contacting parents.
- Aim to help parents understand that the educational centre has a responsibility for the welfare of all students and has a duty to refer cases to the Local Authority in the interests of the student as appropriate.
- Ensure a robust complaints system is in place to deal with issues raised by parents and carers.
- Provide advice and signpost parents and carers to other services where students need extra support.

18. Health and Safety

The Head Teacher of Toucanto will ensure that there is a robust, up to date Health and Safety Policy and Procedure to meet the statutory responsibility for the safety of students and staff at the educational centre. The Head Teacher will identify and manage health and safety through the use of risk assessments, which are carried out:



- On an annual basis for the educational centre learning spaces and environment in and outdoors.
- For all educational centre trips and educational visits.
- For students travelling between locations during the educational centre day.
- For all work-based learning on work experience placements.
- When a student returns following an exclusion due to risky or violent behaviour.
- When there are any changes to the premises or practices.
- Following a serious accident in relation to staff and/or students.
- When there is a high-level risk associated with contact with parents.
- To maintain effective security of the premises including protection from intruders, trespassers, and/or criminal damage.

Visitors and contractors will be expected to:

- Report to the educational centre reception on arrival.
 - Provide proof of identity.
 - Wear a name badge at all times.
 - Receive suitable supervision by educational centre staff when on site.
-
- Be made aware of the arrangements for safeguarding and health and safety.
 - Comply with the relevant vetting checks specified through the educational centre's recruitment process.

19. Equal Opportunities

Toucanto and Governing Body must take into account the Equality, Diversity, and Values Policy when discharging their duties under this policy.

20. Monitoring and Review of this Policy

The Designated Safeguarding Lead (DSL) at [Enter the name of your educational centre here] will monitor the working of this policy and will report as required to the Head Teacher and the nominated governor. It will be reviewed annually.

Appendix 1 - Staff Guidance

A. Procedures in respect of Child Abuse

Child abuse exists where children have been physically or emotionally abused or severely neglected. Abuse of children is likely to be noticed by the educational centre staff and Health Workers or Education Welfare Officers. It is essential, therefore, that all those whose work brings them into contact with children and their families know the signs of child abuse and are aware of the procedures that they must follow to safeguard the child.

Part one of Keeping Children Safe in Education 2020 should be referred to for a list of those children who may be in need of safeguarding support.

[Enter the name of your educational centre here] has the role of recognising and responding to potential indicators of abuse and neglect. All other action should be taken by those with statutory powers to help the child. Early contact and close liaison with such agencies are therefore regarded as essential by the educational centre.



In the event of an actual or suspected case of child abuse by adults, parents, teachers, or any other adult, it is the responsibility of staff to report this to the Designated Safeguarding Lead (DSL) as soon as possible. The Designated Safeguarding Lead (DSL) is responsible for ensuring that children are identified and the appropriate agency is involved. The Designated Safeguarding Lead (DSL) or Designated Safeguarding Officer (DSO) will attend any reviews called by

the Local Authority, and may call on appropriate members of staff for reports. It is important that if staff overhear children discussing 'abuse' or 'neglect' that this information is relayed for investigation. Staff should not assume that somebody else will take action and must share information which might be critical in keeping children safe.

Staff leading educational centre off-site visits, particularly residential ones, should provide a list of the students taking part to the Designated Safeguarding Lead (DSL), to ensure that they are made aware of all essential information relating to the students in their care. A confidential register will be maintained of all those students known to be at risk. Names will be entered on the register if it is confirmed by the Local Authority that the child is actually at risk.

B. Guidance for all staff on dealing with disclosure / suspected abuse / neglect / sexual harassment, sexual assault, violence, honour based abuse (forced marriage and female genital mutilation), children who are at risk from or involved with violent crime and peer-on-peer abuse

I. Dealing with disclosures of abuse

- Always listen carefully and quietly. Do not press for any evidence at all.
- Remain calm and reassuring. Do not dismiss the disclosure and do not show distress or concern.
- Do not refute the allegation.
- Show that you care through open and reassuring facial expressions and body language.
- Do not interrogate or ask leading questions (it could later undermine a case).
- Ensure you take a written verbatim account of the child's disclosure.
- Staff should be aware that written accounts could become part of a statutory assessment or criminal investigation.
- Where there is an online element, the key consideration is for staff not to view or forward illegal images of a child. Where viewing images is unavoidable, the following link provides advice on how to respond: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759007/6_2_939_SP_NCA_Sexting_In_educational_centres_FINAL_Update_Jan17.pdf

II. At this point, staff should take the following steps:

- Explain to the student that the disclosure must be reported – emphasise your trust in them.
- Do not promise to keep the allegation secret or that 'everything will be alright.'
- Reassure the student by telling them that they have done the right thing in telling you. Do not offer physical reassurance.
- Do not admonish in any way e.g. 'I wish you had told me sooner.'
- Inform the DSL initially verbally.



- Under no circumstances discuss the matter with any other person. If the allegations prove to be untrue, any such discussion would be deemed defamatory. Information to staff is on a 'need to know' basis at the discretion of the DSL.
 - If the child agrees, and it is appropriate, take them with you to the DSL.
 - With the DSL, prepare a detailed report itemising:
 - The information revealed by the student. It should not contain any opinion whatsoever.
 - Actions taken by yourself, including when the suspicions were reported, to whom the suspicions were reported, and follow-up action taken within the educational centre.
 - Date and sign any written record of events and action taken and keep confidential and secure.
 - You must keep, in absolute confidence, a copy of the report, as will the DSL.
 - The DSL keeps Child Protection records centrally and securely and are not kept in the child's file.
 - All staff are under a duty to report all suspicions of abuse to the DSL.
 - The DSL is responsible for passing on these concerns to Children's Services.
 - Accurate records are essential in the event of further investigations.
- III. If you see or hear something that is concerning:
- Don't ignore it or assume that it is someone else's responsibility to report it.
 - Upload all information to the educational centre's safeguarding systems and seek advice immediately from your DSL.
 - Don't feel silly – if it worries you, someone else needs to know.

- If it is something related to safeguarding, but not a child whose safety is immediately at risk, inform the appropriate Pastoral Leader or safeguarding officer in person and follow up with a one-line email notifying the DSL that there is a safeguarding concern.
 - If it is related to a child being at risk, see the DSL or Deputy DSL immediately and definitely before the child goes home that day where possible.
 - All staff may raise concerns directly with Children's Services if they feel an incident is not being dealt with appropriately or they are unable to locate relevant staff.
 - Concerns about adults in the educational centre should be made directly to the Head Teacher.
- Child Protection Procedures – Points of action

1. If anyone discovers or suspects child abuse/peer on peer sexual violence or sexual harassment, they must inform the DSL. The DSL will, in the appropriate manner and according to procedures, assess the situation.

2. The DSL will, if appropriate, take the following steps

Where there is a report of peer on peer sexual violence, the DSL will make an immediate risk and needs assessment in accordance with part five of Keeping Children Safe in Education 2020 (guidance for this can be found in Appendix 4). Where there is a report of sexual harassment, the need for a risk assessment will be considered on a case by case basis.

Where it is clear that a Child Protection Referral (significant harm) is needed, they will contact Social Services without delay.



Where the DSL is not sure whether it is a Child Protection issue, or where the DSL needs to check the Child Protection register, they may seek advice from the MASH (Multi Agency Safeguarding Board).

- They will follow locally agreed protocols which can be found on the Local Authority Safeguarding Children's Board website.

3. The DSL or a delegated child protection officer will attend a Child Protection Conference. We recognise the importance of multi-agency working and will ensure that staff are able to attend all relevant meetings, case conferences, core groups, and strategy meetings. We will provide relevant training and support for staff required to attend any meetings.

Appendix 2 - Information on child abuse and categories of abuse

All staff in [Enter the name of your educational centre here] should be aware that abuse, neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

1. Abuse

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children (peer on peer abuse).

In a situation where abuse is alleged to have been carried out by another peer, the child protection procedures outlined in this policy should be adhered to for both the victim and the

alleged abuser. That is, it should be considered a child care and protection issue for both children.

All abusers must be held accountable for their behaviour and work must be done to ensure that abusers take responsibility for their behaviour and acknowledge that the behaviour is unacceptable. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance.

Abusive behaviour that is perpetrated by peers must be taken seriously. It is known that some adult abusers begin abusing during childhood and adolescence, that significant numbers will have suffered abuse themselves, and that the abuse is likely to become progressively more serious. Early referral and intervention are therefore essential in line with paragraph 2 of this policy.

2. Peer on peer abuse

Peer on peer can manifest itself in many ways. All staff should be aware that children can abuse other children (referred to as peer on peer). This is most likely to include, but may not be limited to:

- Bullying (including cyberbullying).
- Physical abuse such as hitting, biting, kicking, shaking, hair-pulling, or causing physical harm.
- Sexual violence, such as rape, assault by penetration, and sexual assault.



- Sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse.
- Upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm.
- Sexting (also known as youth produced sexual imagery).
- Initiation/hazing type violence and rituals.

Please refer to the Depart for Education advice:

<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-educational-centres-and-colleges>

It could be through 'sexting' using online communications, text, or image messaging. Please refer to the online safety policy for further information. The Child Exploitation Online Protection Centre (CEOP) also provides further guidance on sexting at <https://www.ceop.police.uk/safety-centre/>

3. Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child that causes severe and persistent adverse effects on the child's development. It may involve conveying to children 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 opportunity to express their views, deliberately silencing them, or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploring or learning, or preventing the child participating in

normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying) causing children to frequently feel frightened or in danger, 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.

4. Sexual abuse

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

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse as can other children.

5. Neglect



Neglect is the persistent failure to meet a child's basic or physical and/or psychological needs, which is likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing, and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger, ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

All staff and volunteers should be concerned about a child if he/she presents indicators of possible significant harm. Training will be provided to all staff on the 'signs of abuse.'

6. Signs of Abuse in Children

The following non-specific, broad signs may indicate something is wrong:

- Significant change in behaviour.
- Extreme anger or sadness.
- Aggressive and attention-seeking behaviour.
- Suspicious bruises with unsatisfactory explanations.
- Lack of self-esteem.
- Self-injury.
- Depression.
- Inappropriate sexual behaviour.
- Child Sexual Exploitation.

7. Risk Indicators

The factors described in this section are frequently found in cases of child abuse. Their presence is not proof that abuse has occurred, but they:

- Must be regarded as indicators of the possibility of significant harm.
 - Justify the need for careful assessment and discussion with the Designated Safeguarding Lead.
 - May require consultation with and/or referral to Children's Services.
- The absence of such indicators does not mean that abuse or neglect has not occurred. In an abusive relationship the child may:
- Appear frightened of the parent/carers.
 - Act in a way that is inappropriate to her/his age and development (though full account needs to be taken of different patterns of development and different ethnic groups). The parent or carer may:
 - Persistently avoid child health promotion services and treatment of the child's episodic illnesses.
 - Have unrealistic expectations of the child, frequently complain about/to the child, and may fail to provide attention or praise (high criticism/low warmth environment).
 - Be absent or misusing substances.
 - Persistently refuse to allow access on home visits.



- Be involved in domestic abuse.

Staff should be aware of the potential risk to children when individuals, previously known or suspected to have abused children, move into the household.

8. Recognising Physical Abuse

The following are often regarded as indicators of concern:

- An explanation which is inconsistent with an injury.
- Several different explanations provided for an injury.
- Unexplained delay in seeking treatment.
- The parents/carers are uninterested or undisturbed by an accident or injury.
- Parents are absent without good reason when their child is presented for treatment.
- Repeated presentation of minor injuries (which may represent a “cry for help” and if ignored could lead to a more serious injury).
- Family use of different doctors and A&E departments.
- Reluctance to give information or mention previous injuries.

9. Bruising

Children can have accidental bruising, but the following must be considered as non-accidental unless there is evidence or an adequate explanation provided:

- Two simultaneous bruised eyes (rarely accidental, though a single bruised eye can be accidental or abusive).
- Repeated or multiple bruising on the head or on sites unlikely to be injured accidentally.
- Variation in colour possibly indicating injuries caused at different times.
- The outline of an object used e.g. belt marks, handprints, or a hairbrush.
- Bruising or tears around, or behind, the earlobe(s) indicating injury by pulling or twisting.
- Bruising around the face.
- Bruising on the arms, buttocks, and thighs may be an indicator of sexual abuse.

10. Bite Marks

Bite marks can leave clear impressions of the teeth. Human bite marks are oval or crescent shaped. Those over 3 cm in diameter are more likely to have been caused by an adult or older child. A medical opinion should be sought where there is any doubt over the origin of the bite.

11. Burns and Scalds

It can be difficult to distinguish between accidental and non-accidental burns and scalds, and will always require experienced medical opinion. Any burn with a clear outline may be suspicious e.g.:

- Circular burns from cigarettes (but may be friction burns if along the bony protuberance of the spine).
- Linear burns from hot metal rods or electrical fire elements.
- Burns of uniform depth over a large area.
- Scalds that have a line indicating immersion or poured liquid (a child getting into hot water of his/her own accord will struggle to get out and cause splash marks).



- Old scars indicating previous burns/scalds which did not have appropriate treatment or adequate explanation.

12. Fractures

Fractures may cause pain, swelling, and discolouration over a bone or joint. There are grounds for concern if:

- The history provided is vague, non-existent, or inconsistent with the fracture type.
- There are associated old fractures.
- Medical attention is sought after a period of delay when the fracture has caused symptoms such as swelling, pain, or loss of movement.

13. Scars

A large number of scars, scars of different sizes or ages, and scars on different parts of the body may suggest abuse.

14. Recognising Emotional Abuse

Emotional abuse may be difficult to recognise, as the signs are usually behavioural rather than physical. The manifestations of emotional abuse might also suggest the presence of other kinds of abuse.

The following may be indicators of emotional abuse:

- Developmental delay.
- Abnormal attachment between a child and parent/carer e.g. anxious, indiscriminate, or not appropriate attachment.
- Indiscriminate attachment or failure to attach.
- Aggressive behaviour towards others.
- Scapegoating within the family, such as a parent blaming the child for something bad that happened to them (e.g. losing a job).
- Frozen watchfulness.
- Low self-esteem and lack of confidence.

- Withdrawn or seen as a “loner” – difficulty relating to others.
- The indicators of emotional abuse are often also associated with other forms of abuse.

15. Recognising Signs of Sexual Abuse

Boys and girls of all ages may be sexually abused and are frequently scared to say anything due to guilt and/or fear. This is particularly difficult for a child to talk about and full account should be taken of the cultural sensitivities of any individual child/family. Recognition can be difficult, unless the child discloses and is believed. There may be no physical signs and indications are likely to be emotional/behavioural.

Some behavioural indicators associated with this form of abuse are:

- Inappropriate sexualised conduct.
- Sexually explicit behaviour, play, or conversation, inappropriate to the child's age.
- Continual and inappropriate or excessive masturbation.
- Self-harm (including eating disorder), self-mutilation, and suicide attempts.



- Involvement in prostitution or indiscriminate choice of sexual partners.
- An anxious unwillingness to remove clothes e.g. for sports events (but this may be related to cultural norms or physical difficulties).

Some physical indicators associated with this form of abuse are:

- Pain or itching of genital area.
- Blood on underclothes.
- Pregnancy in a younger girl where the identity of the father is not disclosed.
- Physical symptoms such as injuries to the genital or anal area, bruising to buttocks, abdomen, and thighs, and sexually transmitted disease.

16. Sexual Abuse by Young People

The boundary between what is abusive and what is part of normal childhood or youthful experimentation can be blurred. The determination of whether behaviour is developmental, inappropriate or abusive will hinge around the related concepts of true consent, power imbalance, and exploitation.

This may include children and young people who exhibit a range of sexually problematic behaviour such as indecent exposure, obscene telephone calls, fetishism, bestiality, and sexual abuse against adults, peers, or children. This may also include online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- Non-consensual sharing of sexual images and videos.
- Sexualised online bullying.
- Unwanted sexual comments and messages, including on social media.
- Sexual exploitation
- Coercion and threats.

Developmental sexual activity encompasses those actions that are to be expected from children and young people as they move from infancy through to an adult understanding of their physical, emotional, and behavioural relationships with each other. Such sexual activity is essentially information gathering and experience testing. It is characterised by mutuality and of the seeking of consent.

Inappropriate sexual behaviour can be inappropriate socially, inappropriate to development, or both. In considering whether behaviour fits into this category, it is important to consider what negative effects it has on any of the parties involved and what concerns it raises about a child or young person. It should be recognised that some actions may be motivated by information seeking, but still cause significant upset, confusion, worry, physical damage, etc. It may also be that the behaviour is “acting out” which may derive from other sexual situations to which the child or young person has been exposed.

If an act appears to have been inappropriate, there may still be a need for some form of behaviour management or intervention. For some children, educative inputs may be enough to address the behaviour.

Abusive sexual activity includes any behaviour involving coercion, threats, or aggression together with secrecy, or where one participant relies on an unequal power base.



17. Assessment

In order to more fully determine the nature of an incident and the presence of exploitation, the following factors should be given consideration:

- Equality – consider differentials of physical, cognitive, and emotional development, power and control and authority, passive and assertive tendencies.
 - Consent – consider whether an incident appeared consensual or non-consensual, keeping in mind that consent means willing agreement. This requires consideration of all the following:
 - Understanding that is based on age, maturity, development level, functioning, and experience.
 - Knowledge of society's standards for what is being proposed – awareness of potential consequences and alternatives.
 - Assumption that agreements or disagreements will be respected equally.
 - Voluntary decision.
 - Mental competence.
 - Coercion – a young perpetrator who abuses may use techniques like bribing, manipulation, and emotional threats of secondary gains and losses that is loss of love, friendship, etc. Some may use physical force, brutality, or the threat of these regardless of victim resistance.
- In evaluating sexual behaviour of children and young people, the above information should be used only as a guide.

18. Recognising Neglect

Evidence of neglect is built up over a period of time and can cover different aspects of parenting. Indicators include:

- Failure by parents or carers to meet the basic essential needs e.g. adequate food, clothes, warmth, hygiene, and medical care.
- A child seen to be listless, apathetic, and irresponsive with no apparent medical cause.
- Failure of child to grow within normal expected pattern, with accompanying weight loss.
- Child thrives away from home environment.
- Child frequently absent from educational centre.
- Child left with adults who are intoxicated or violent.
- Child abandoned or left alone for excessive periods.

Appendix 3 - The educational centre's Statutory Duty and Guidance Documents

This policy sets out how [Enter the name of your educational centre here] will meet its statutory duty to safeguard and promote the welfare of our students. It has been developed in accordance with the law and guidance found at <https://www.gov.uk/> that seeks to protect children.

Further guidance in relation to the safeguarding topics covered in this policy include:

- Keeping Children Safe in Education: Statutory Guidance for educational centres and Colleges
- Working Together to Safeguard Children
- Multi-agency Statutory Guidance on Female Genital Mutilation
- Teaching Online Safety in educational centres
- Information about mandatory reporting of female genital mutilation
- Protecting Children from Radicalisation: the prevent duty



- Prevent Duty Guidance: England and Wales
- Inspecting safeguarding in maintained educational centres and academies
- Inspecting safeguarding in safeguarding in early years, education and skills settings
- Competence Still Matters: Safeguarding training for all employees and volunteers
- Preventing Youth Violence and Gang Involvement
- Safeguarding in educational centres: Best Practice
- Criminal exploitation of children and vulnerable adults: county lines
- Sexual Offences Act
- The Children Act 1989 and 2004 and The Education Act 2002
- Mental Health and Behaviour in educational centres: Departmental Advice
- Multi-agency statutory guidance on female genital mutilation
- Sexting in educational centres, Aug 2016, UK Council for Internet Safety
- Learning together to be safe - a toolkit to help educational centres contribute to the prevention of violent extremism
- The Prevent Strategy: A Guide for Local Partners in England

If anyone wishes to seek further information or guidance, they can refer to the above documents.

Appendix 4 - KCSIE 2020 Part 5 Guidance

The following guidance is taken directly from Keeping Children Safe in Education 2020, part 5. It discusses the procedures and guidance set out for cases involving child on child sexual violence and sexual harassment in educational centres and colleges.

Part five: Child on Child Sexual Violence and Sexual Harassment

267. This part of the guidance is about managing reports of child on child sexual violence and sexual harassment.

268. Governing bodies and proprietors should be aware that the department has published detailed advice to support educational centres and colleges. The advice is available here: <https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-educational-centres-and-colleges> and includes what sexual violence and sexual harassment look like, important context to be aware of, related

legal responsibilities for educational centres and colleges, and advice on a whole educational centre or college approach to preventing child on child sexual violence and sexual harassment.

Responding to reports of sexual violence and sexual harassment

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

270. This part of the guidance does not attempt to provide (nor would it be possible to provide) detailed guidance on what to do in any or every particular case. The guidance provides effective safeguarding practice and principles for educational centres and colleges to consider in their decision-making process.



271. Ultimately, any decisions are for the educational centre or college to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

272. There is support available for educational centres and colleges. Paragraph 43 and Annex A in the Sexual Violence and Sexual Harassment Between Children in educational centres and Colleges advice provides information and links to resources.

The immediate response to a report

Responding to the report

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

274. As per Part one of this [KCSIE] guidance, all staff should be trained to manage a report. Local policies (and training) will dictate exactly how reports should be managed.

However, effective safeguarding practice includes:

- Not promising confidentiality at this initial stage, as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to.
- Recognising a child is likely to disclose to someone they trust: this could be anyone on the educational centre or college staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child.

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- Listening carefully to the child, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc.
- Considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to

devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made.

- Only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. educational centres and colleges should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation.
- Where the report includes an online element, being aware of searching, screening and confiscation advice (for educational centres) and UKCCIS sexting advice (for educational



centres and colleges). The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice provides more details on what to do when viewing an image is unavoidable.

- If possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible.
- Informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

Risk Assessment

275. When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- The victim, especially their protection and support.
- The alleged perpetrator.
- All the other children (and, if appropriate, adult students and staff) at the educational centre or college, especially any actions that are appropriate to protect them.

276. Risk assessments should be recorded (written or electronic) and should be kept under review. At all times, the educational centre or college should be actively considering the risks posed to all their pupils and students and putting adequate measures in place to protect them and keep them safe.

277. The designated safeguarding lead (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. The risk assessment at paragraph 275 is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the educational centre's or college's approach to supporting and protecting their pupils and students and updating their own risk assessment.

Action following a report of sexual violence and/or sexual harassment

What to consider

278. educational centres and colleges should carefully consider any report of sexual violence and/or sexual harassment. The designated safeguarding lead (or deputy) is likely to have a

complete safeguarding picture and be the most appropriate person to advise on the educational centre's or college's initial response. Important considerations will include:

- The wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered.
- The nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour.
- The ages of the children involved.
- The developmental stages of the children involved.



- Any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- If the alleged incident is a one-off or a sustained pattern of abuse.
- Are there ongoing risks to the victim, other children, adult students or educational centre or college staff?
- Other related issues and wider context, as discussed at paragraph 21.

279. As always, when concerned about the welfare of a child, all staff should act in the best interests of the child. In all cases, educational centres and colleges should follow general safeguarding principles as set out throughout this guidance. Immediate consideration should be given as to how best to support and protect the victim and the alleged perpetrator (and any other children involved/impacted).

280. The starting point regarding any report should always be that sexual violence and sexual harassment is not acceptable and will not be tolerated. Especially important is not to pass off any sexual violence or sexual harassment as 'banter,' 'part of growing up' or 'having a laugh.'

Children sharing a classroom: Initial considerations when the report is made

Any report of sexual violence is likely to be traumatic for the victim.

However, reports of rape and assault by penetration are likely to be especially difficult, and the victim being in close proximity with the alleged perpetrator is likely to be especially distressing. Whilst the educational centre or college establishes the facts of the case and starts the process of liaising with children's social care and the police, the alleged perpetrator should be removed from any classes they share with the victim. The educational centre or college should also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on educational centre or college premises and on transport to and from the educational centre or college, where appropriate. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing educational centre or college premises and educational centre or college transport, should be considered immediately.

In all cases, the initial report should be carefully evaluated, reflecting the considerations set out at paragraph 278.

The wishes of the victim, the nature of the allegations and the protection of all children in the educational centre will be especially important and should be considered immediately when

considering any immediate actions on college premises and educational centre or college transport.

Options to manage the report

281. It is important that educational centres and colleges consider every report on a case-by-case basis as per paragraph 278. When to inform the alleged perpetrator will be a decision that should be carefully considered. Where a report is going to be made to children's social care and/or the police, then, as a general rule, the educational centre or college should speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations. However, as per general safeguarding principles, this does not and



should not stop the educational centre or college taking immediate action to safeguard their children, where required.

There are four likely scenarios for educational centres and colleges to consider when managing any reports of sexual violence and/or sexual harassment.

1. Manage internally

- In some cases of sexual harassment, for example, one-off incidents, the educational centre or college may take the view that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour policy and by providing pastoral support.

- Whatever the educational centre's or college's response, it should be underpinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.

- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

2. Early help

- In line with 1 above, the educational centre or college may decide that the children involved do not require statutory interventions, but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

- Full details of the early help process are in Chapter One of Working Together to Safeguard Children.

- Multi-agency early help will work best when placed alongside strong educational centre or college policies, preventative education and engagement with parents and carers.

- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.

- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

3. Referrals to children's social care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, educational centres and colleges should make a referral to local children's social care.

- At the referral to children's social care stage, educational centres and colleges will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of children's social care.

- If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services.

- Where statutory assessments are appropriate, the educational centre or college (especially the designated safeguarding lead or a deputy) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible



package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support.

- educational centres and colleges should not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the educational centre or college. It will be important for the designated safeguarding lead (or a deputy) to work closely with children's social care (and other agencies as required) to ensure any actions the educational centre or college takes do not jeopardise a statutory investigation. The risk assessment as per paragraph 275 will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator, any other children directly involved in the safeguarding report and all children at the educational centre or college should be immediate.
 - In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The educational centre or college (generally led by the designated safeguarding lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support.
 - Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
 - All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).
- #### 4. Reporting to the Police
- Any report to the police will generally be in parallel with a referral to children's social care (as above).
 - It is important that the designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process.
 - Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.
 - At this stage, educational centres and colleges will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the educational centre or college is supporting the child in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies.
 - Where a report has been made to the police, the educational centre or college should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
-
- All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the designated safeguarding lead (and their deputies) are aware of their local arrangements.



- In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, it is important that the educational centre or college continue to engage with specialist support for the victim as required.
- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic). Considering bail conditions
- From April 2017, the use of police bail has been dramatically reduced and will only be used when deemed necessary and proportionate in exceptional circumstances. Consideration will be given to less invasive options to safeguard victims and witnesses and the administration of justice. Therefore, it is less likely that a child attending educational centre or college will be on police bail with conditions attached if there are alternative measures to mitigate any risk.
- In the absence of bail conditions, when there is a criminal investigation, early engagement and joined up working between the educational centre or college, children's social care and the police will be critical to support the victim, alleged perpetrator and other children involved (especially potential witnesses). Where required, advice from the police should be sought in order to help the educational centre or college manage their safeguarding responsibilities.
- The term 'Released Under Investigation' or 'RUI' will replace those previously on bail for offences in circumstances that do not warrant the application of bail to either re-attend on a particular date or to include conditions preventing activity or in some cases ensuring compliance with an administrative process.
- Where bail is deemed proportionate and necessary, the educational centre or college should work with children's social care and the police to manage any implications and safeguard their children. An important consideration will be to ensure that the victim can continue in their normal routine, including continuing to receive a suitable education.

Managing any delays in the criminal process

- There may be delays in any case that is being progressed through the criminal justice system. educational centres and colleges should not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator and other children in the educational centre or college. The risk assessment as per paragraph 275 will help inform any decision.
- Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, it will be important for the designated safeguarding lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the educational centre or college take do not jeopardise the police investigation.
- If educational centres or colleges have questions about the investigation, they should ask the police. The police will help and support the educational centre or college as much as they can (within the constraints of any legal restrictions).

The end of the criminal process

- If a child is convicted or receives a caution for a sexual offence, the educational centre or college should update its risk assessment, ensure relevant protections are in place for all the

children at the educational centre or college and, if it has not already, consider any suitable action in light of their behaviour policy. If the perpetrator remains in the same educational centre



or college as the victim, the educational centre or college should be very clear as to their expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the educational centre or college thinks are reasonable and proportionate with regard to the perpetrator's timetable.

- Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or students in the educational centre or college. It will be important that the educational centre or college ensure both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online).
- Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, the educational centre or college should continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. educational centres and colleges should discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator is also likely to require ongoing support for what will have likely been a difficult experience.

Ongoing response

Safeguarding and supporting the victim

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

- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. educational centres and colleges should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator.
- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the educational centre or college is a safe space for them.

The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.

Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.

Support can include:

- Children and Young People's Independent Sexual Violence Advisors (ChISVAs), who provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with educational centres and colleges to ensure the best possible outcomes for the victim.



- Police and social care agencies can signpost to ChISVA services (where available) or referrals can be made directly to the ChISVA service by the young person or educational centre or college. Contact details for ChISVAs can be found at <https://rapecrisis.org.uk/> and <https://www.thesurvivorstrust.org/>
- Child and adolescent mental health services (CAMHS), found here: <https://youngminds.org.uk/find-help/your-guide-to-support/guide-to-camhs/>
- Rape Crisis Centres can provide therapeutic support for children who have experienced sexual violence, found here: <https://rapecrisis.org.uk/>
- Internet Watch Foundation (to potentially remove illegal images), found here: <https://www.iwf.org.uk/>

283. Victims may not disclose the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, educational centres and colleges should ask the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's. Educational centres and colleges should respect and support this choice.

284. A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While educational centres and colleges should avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, educational centres and colleges should provide a physical space for victims to withdraw.

285. It may be necessary for educational centres and colleges to maintain arrangements to protect and support the victim for a long time. Educational centres and colleges should be prepared for this and should work with children's social care and other agencies as required.

286. It is important that the educational centre or college does everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

287. Whilst they should be given all the necessary support to remain in their educational centre or college, if the trauma results in the victim being unable to do this, alternative provision or a move to another educational centre or college should be considered to enable them to continue to receive suitable education. This should only be at the request of the victim (and following discussion with their parents or carers).

288. It is important that if the victim does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens (and should discuss with the victim and, where appropriate, their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file. Information sharing advice referenced from paragraphs 82-86 [in KCSIE] will help support this process.

Ongoing Considerations: Victim and alleged perpetrator sharing classes

[Earlier, the guidance] considered the immediate response to a report. Once the designated safeguarding lead (or a deputy) has decided what the next steps will be in terms of progressing



the report, they should consider again the question of the victim and alleged perpetrator sharing classes and sharing space at educational centre. This will inevitably involve complex and difficult professional decisions, including considering their duty to safeguard children and their duty to educate them. It is important each report is considered on a case-by-case basis and risk assessments are updated as appropriate. As always when concerned about the welfare of a child, the best interests of the child should come first. In all cases, educational centres and colleges should follow general safeguarding principles as per this guidance.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim. The educational centre or college should also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on educational centre or college premises and on transport to and from educational centre or college where appropriate. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of the alleged perpetrator. As per paragraph 281, close liaison with the police is essential.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the educational centre or college should take suitable action, if they have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same educational centre or college would seriously harm the education or welfare of the victim (and potentially other pupils or students).

Where a criminal investigation into sexual assault leads to a conviction or caution, the educational centre or college should, if it has not already, consider any suitable sanctions in light of their behaviour policy, including consideration of permanent exclusion. Where the perpetrator is going to remain at the educational centre or college, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on educational centre and college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

In all cases, educational centres and colleges should record and be able to justify their decision-making.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support should be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis. In all cases, educational centres and colleges should record and be able to justify their decision-making. All of the above should be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.



Safeguarding and supporting the alleged perpetrator

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

- The educational centre will have a difficult balancing act to consider. On one hand, they need to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator with an education, safeguarding support as appropriate and implement any disciplinary sanctions.
- Consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. An alleged perpetrator may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviours in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice should be taken, as appropriate, from children's social care, specialist sexual violence services and the police.
- It is important that if the alleged perpetrator does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and, where appropriate, potential risks to other children and staff. The designated safeguarding lead should take responsibility to ensure this happens as well as transferring the child protection file. Information sharing advice referenced from paragraph 82-86 in KCSIE will help support this process.