



Child abuse can and does occur both within a child's family and in institutional or community settings. School staff are in contact with children all day and are in a strong position to detect possible abuse. They must not think that by voicing concern they are necessarily starting procedures. The criteria should be that they have '*reasonable suspicion*' and under the Children Act 1989, this definition has been extended to include '*or may suffer in future*'.

'*Keeping Learners Safe*' is clear: 'Everyone working in an education setting, whether employed by the local authority or otherwise, who comes into contact with children and their families has a role in safeguarding children. They form part of the wider safeguarding system for children and are in a position to identify concerns early and provide help for children to prevent issues from escalating.'

Recognising child abuse is not always easy, and it is not the responsibility of school staff to decide whether or not child abuse has definitely taken place or if a child is at significant risk. They do, however, have a clear responsibility to act if they have a concern about a child's welfare or safety or if a child discloses abuse. They should maintain an attitude of 'it could happen here' and always act in the best interests of the child.

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For the purpose of this policy 'the School' refers to the Haberdashers' Monmouth Schools (Monmouth School for Boys, Monmouth School for Girls, Monmouth Prep School).

This policy should be read in conjunction with the *PSHE Policy, Anti-bullying Policy, Counter-Terrorism, Extremism and Radicalisation Policy, Low-level Concern Policy, Educational Visits Policy, Pastoral Care Policy, Recruitment, Selection and Disclosure Policy* and *Physical Restraint Policy*.

## Introduction

This policy is designed to address:

- (a) the School's charity law safeguarding duty to:
  - (i) provide a safe and trusted environment which safeguards anyone who comes into contact with it, including beneficiaries, staff and volunteers;
  - (ii) set an organisational culture that prioritises safeguarding, so that it is safe for those affected to report incidents and concerns with the assurance they will be handled sensitively and properly;
  - (iii) have adequate safeguarding policies, procedures and measures to protect people;
  - (iv) provide clarity as to how incidents and allegations will be handled should they arise, including reporting to the relevant authorities, such as the Charity Commission; and
- (b) the specific obligations on the School to safeguard and promote the welfare of children, as defined below.

The School accepts that it is the responsibility of every adult to protect children from abuse. All children have a right to be protected from all forms of abuse and discrimination and to be treated equally regardless of age, gender, racial origin, culture, religious belief, language, disability or sexual identity.

There are three main Aspects of this policy:

- a. prevention of abuse through our teaching and the pastoral support which is offered to pupils;
- b. procedures for identifying and reporting cases, or suspected cases, of abuse. (Teaching and non-teaching staff and School Prefects are well placed to observe signs of abuse because they are working closely with pupils); and
- c. support to pupils who may have been abused.

This policy applies to all staff at the Haberdashers' Monmouth Schools: both teaching and support staff. It also applies to the School Governors. School Prefects are also given Child Protection training alongside all pupils in Year 13. Anyone in these groups may be the first point of disclosure for a pupil and the School wants all staff to follow correct procedures for dealing with a case, or suspected case, of abuse.

The School understands its statutory duty under section 157 of the Education Act 2002 and Children's Act 2004 to safeguard and promote the welfare of children as described in section 175 of the Education Act 2002 and that we must give due regard to the Welsh Government Guidance Document no: 283/2022 *Keeping Learners Safe* as the safety and protection of children is of paramount importance to everyone in these schools.

The guidance and procedures within this document take into account the *Safeguarding Children: working Together Under the Children Act 2004, The Children and Young People's Plan (Wales)*

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*Regulations - September 2007, Shared Planning for Better Outcomes- September 2007, The Framework for Assessing Children in Need and their Families – 2001.* This policy also has regard to the Charity Commission's advice and guidance, including Strategy for dealing with safeguarding issues in charities (2017), Regulatory alert to charities - safeguarding (2017), and How to report a serious incident in your charity (2017).

Safeguarding is promoting well-being and welfare by safeguarding and promoting the welfare of children (as defined below) and protecting the rights of adults to live in safety, free from abuse and neglect.

In '*Keeping Learners Safe*', the National Assembly for Wales defines safeguarding and promoting the welfare of children as:

- protecting children from risk of abuse, neglect or other kinds of harm
- preventing impairment of children's health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to achieve the best outcomes.

The School will take reasonable steps to ensure that its pupils and others who come into contact with the School do not, as a result, come to harm or are exposed to abuse.

Any safeguarding concern raised by any person will be taken seriously and action taken in accordance with the relevant School policies and procedures.

## Roles and Responsibilities

### The Role of the Local Authority

The Local Authority has responsibilities at three levels: strategic, support and operational.

On a **strategic** level Monmouthshire County Council will plan, co-ordinate services and allocate resources working in partnership with other agencies.

At this level Monmouthshire County Council will:

- Work with other agencies to put in place and support effective partnership working including cross border processes;
- Allocate resources to enable educational settings and local authority staff can discharge their responsibilities for safeguarding children satisfactorily;
- Liaise with the appropriate diocesan authorities in respect of arrangements for safeguarding children in aided schools in Monmouthshire;
- Monitor the compliance of maintained schools using the guidance listed in Section 2 Legislative Framework above;
- Bring any deficiencies to the attention of the governing body of the School/setting and give advice as to how to remedy deficiency;
- Take action to resolve any inter-agency problems;
- Play a full part in case reviews in accordance with Chapter 10 of the Safeguarding Children: Working Together Under the Children Act 2004;
- Disseminate information about relevant findings from case reviews to designated staff for child protection in the authority and maintained schools;
- Allocate resources to support the work of the Safeguarding Children Board;
- Ensure that a senior officer represents the authority on the Safeguarding Children Board;

- Through the work of the Safeguarding and Quality Assurance Unit ensure that all internal and external educational providers fulfil their responsibilities in safeguarding children.

On a **support** level Monmouthshire County Council will endeavour to ensure that the governing body of all schools and further education institutions, the Head Teacher and proprietors of independent schools and other partnership agencies providing services for children and families:

- Are aware of their responsibilities for Child Protection
- Are aware of their responsibilities to Looked After Children in Monmouthshire;
- Have appropriate guidance and support available from the Monmouthshire Children's Services Safeguarding Unit/Team, facilitated by the Designated Education Safeguarding Officer;
- Have access to a programme of appropriate training;
- Have flowcharts and procedures to follow in line with the Wales Safeguarding Procedures (2019).

On an **operational** level Monmouthshire County Council will be responsible for promoting the safety and welfare of children in the following circumstances:

- Children excluded from School, or who have not obtained a School place (for example children in Pupil Referral Units);
- Children with complex medical needs and specific or additional learning needs;
- home educated children;
- Children subject to Child Protection Plans;
- Looked After Children; and
- Children who are educated outside of Monmouthshire.

The Monmouthshire Lead Officer for Safeguarding in Education is:-

**Heather Heaney** who can be contacted by:-

Phone- 01633 644392

Mobile- 07917707343

Email- [heatherheaney@monmouthshire.gov.uk](mailto:heatherheaney@monmouthshire.gov.uk)

Monmouthshire Children's Services can be contacted as follows:

Phone: 01291 635669

Out of hours telephone number: 0800 328 4432

### **The Role of the Governing Body**

Governing bodies in Monmouthshire have a responsibility to ensure that:

- The School has an effective Child Protection/Safeguarding policy in place;
- The policy and the School's safeguarding procedures are reviewed annually. A copy of this policy is available on the School's website a hard copy is made available to parents and/or pupils on request;
- The School follows recommended procedures and guidelines for dealing with allegations of misconduct against members of staff, including child protection allegations, in line with MCC policy and Welsh Government guidelines;
- The School operates safe recruitment procedures and ensures that all appropriate checks are carried out on all new staff and volunteers including governors in line with MCC policy, Wales Safeguarding Procedures (2019); 275/2021 Keeping Learners Safe and Welsh Government guidelines;
- The School has designated senior members of staff who are appropriately trained to take lead responsibility for dealing with child protection;
- The Head Teachers and all staff and volunteers (including governors) undertake appropriate safeguarding training.

The Governing Body has nominated two of its members (Designated Governors for Safeguarding) to take responsibility for the School's safeguarding arrangements. Please see below for the name and contact details of the Designated Governors for Safeguarding. The Designated Governors for Safeguarding meets termly with the Designated Safeguarding Persons at their respective schools. The safeguarding governors are members of the Pastoral Committee (PC), which takes delegated authority from the Board to monitor and review the School's non-academic provision including pastoral care, boarding and the well-being and safeguarding of its pupils. The PC meets termly and its remit includes the review of the effectiveness and implementation of the School's safeguarding arrangements. The full Governing Body remains collectively responsible for safeguarding.

### **The Role of Head Teachers**

In Monmouthshire Head Teachers have a responsibility to ensure that:

- Safeguarding/child protection policies and procedures adopted by the governing body or proprietor are fully implemented and followed by all staff;
- Sufficient resources and time are allocated to enable the designated person and other staff to discharge their responsibilities including taking part in strategy discussions and other inter-agency meetings, and contributing to the assessment of children; and
- All staff and volunteers understand the procedures for and are supported in raising concerns with regard to children in their care.

### **The Role of the Designated Senior Person in Schools**

The Designated Senior Person (DSP) for safeguarding fulfills an essential role in developing and implementing policies that help to protect children from all forms of abuse and create a safe school environment.

- The Designated Senior Person is the member of the Senior Leadership Team who takes lead responsibility for managing child protection/safeguarding issues and cases;
  - Takes responsibility for the School's child protection practice, policy, procedures and professional development.
  - Is responsible for ensuring that all staff receive and understand regular up to date safeguarding training
  - For the induction of new staff into the school's safeguarding procedures
  - For online safety and ensuring adequate filtering and monitoring is in place.
  - Liaising with external agencies and the safeguarding governor
  - Takes responsibility for secure record keeping and transfer of records
  - Ensuring that all staff undergo and understand the Prevent strategy.
  - Supports staff who deal with safeguarding disclosures.
  - Promotes the interests of Children Looked After in their school;
  - Is a member of the School's management team;
  - Ensures that the safeguarding policy is reviewed and updated annually and as required.
  - Completes an annual review of safeguarding arrangements in line with the Local Authority's Safeguarding requirements.
  - Receives updated child protection training at least every two years , including inter agency protocols and training in Prevent,

### **Responsibilities of staff in relation to safeguarding**

Staff members should maintain an attitude of "**it could happen here**" where safeguarding is concerned. All staff have a duty to:

- report any concerns they may have about the safety and/or wellbeing of pupils;

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- report any concerns they may have about the safety and/or wellbeing of other persons associated with the School;
- report any safeguarding concerns about staff or anyone else associated with the School.

The procedures for doing so are set out in this policy. If staff are unsure about the process, they must not hesitate to speak to the DSP or senior leadership team.

### **Training**

The School will be cognizant of national and local training requirements and guidance, which will include Safeguarding Children Board guidance, advice and training opportunities.

All staff, whether permanent or temporary and volunteers who work with children shall, as part of their induction, be given access to this policy and the name and contact details of the DSP when they start work. They shall receive Child Protection training (which includes Prevent awareness, how to identify children at risk and online safety) from a trained person which must be kept up to date at least every two years via the TES Develop training platform, Child Protection Refresher. All staff must read and confirm they have understood:

- keeping Learners Safe March 2022
- The school's safeguarding policy
- The pastoral Policy (which includes behaviour and sanctions)
- The Staff Code of Conduct
- The Low Level Concerns Policy
- Whistle Blowing Policy
- Staff ICT Acceptable use Policy

New staff joining part way through the year will be given the same training.

DSPs, senior members of staff responsible for Safeguarding & Child Protection and people working in key pastoral roles shall receive interagency Child Protection training (Safeguarding Children Board) updated at least every two years via the TES Develop training platform, Child Protection Advanced course.

DSPs evidence their on-going professional development in respect of safeguarding and child protection through training courses and other specialist learning or training events.

The School will ensure that the Designated Senior Persons will have received initial training when starting their role and continued professional updates as required. Specific updates as suggested by national and local requirements will be central to the DSP's development. The designated deputies will be initially supported by the designated person and consideration for joint opportunities for training with the designated person will be considered.

All staff will be regularly updated during the year on developments in statutory guidance as appropriate from the designated person.

All members of the governing body undertake Child Protection Advanced Level Training via TES Develop every three years.

### **Child Abuse**

Child abuse and particularly child sexual abuse can arouse strong emotions in those facing such a situation and it is important to understand those feelings and not allow them to interfere with your professional judgement.



Child abuse may come to light in a number of ways:

- i. A child may tell you what has happened to them;
- ii. From a third party (e.g. another child);
- iii. Through the child's behaviour;
- iv. A suspicious, unexplained injury to the child.

These notes are intended to provide a guide to help you identify signs of possible abuse and know what action to take in such cases.

## **The Main Forms of Abuse**

### *Physical Abuse*

The hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates or induces illness in a child whom they are looking after. Giving children alcohol, inappropriate drugs or poison is classified as physical abuse.

### *Sexual Abuse*

Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening, including:

- physical contact, including penetrative or non-penetrative acts
- non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities or
- encouraging children to behave in sexually inappropriate ways.

### *Emotional Abuse*

The persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional and behavioural development.

### *Neglect*

The failure to meet a person's basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person's well-being (for example, an impairment of the person's health or, in the case of a child, an impairment of the child's development)

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

## **Identifying Signs of Possible Abuse**

Recognising abuse is not easy, even for individuals who have experience of working with child abuse. Most children will receive cuts, grazes and bruises from time to time and their behaviour may give reason for concern. There may well be reasons for these factors other than abuse, but any concern must be immediately discussed with a senior colleague to assess the situation.

The School recognises that it has a responsibility to ensure that in safeguarding all pupils it must take into account the unique needs of certain members of its pupil body. This can include pupils with special educational needs or pupils for whom English is a second language. The School will ensure that each pupil's needs are taken into account whenever a discussion takes place and will put appropriate measures in place to ensure that each pupil is comfortable and able to communicate.

Warning signs which may alert professionals to the possibility of abuse can include:

- i. Unexplained bruising, cuts or burns on the child, particularly if these are on parts of the body not normally injured in accidents;
- ii. An injury which a parent or carer tries to hide or for which they might have given different explanations;

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- iii. Changes in behaviour such as the child suddenly becoming very quiet, tearful, withdrawn, aggressive, or displaying severe tantrums;
- iv. Loss of weight without a medical explanation;
- v. An inappropriately dressed or ill-kept child who may also be dirty;
- vi. Sexually explicit behaviour, for instance playing games and showing awareness which is inappropriate for a child's age;
- vii. Aggressive and inappropriate play;
- viii. Running away from home, attempted suicides, self-inflicted injuries;
- ix. A lack of trust in adults, particularly those who would normally be close to the child;
- x. Disturbed sleep, nightmares and enuresis particularly if a child has previously been dry;
- xi. Eating problems, including over-eating or loss of appetite.

Remember, the above signs do not necessarily mean that a child has been abused. If you are concerned about the welfare of a child, however, you must act. It is a legal duty, under the Social Services and Well-being (Wales) Act 2014 to inform the local authority if there is reasonable cause to believe that a child is at risk. Do not assume that someone else will help the child: they might not. Appendix A gives further information relating to symptoms.

See **Annex A** for a detailed list of types of abuse.

### **Female Genital Mutilation (FGM)**

In the UK, all forms of FGM are illegal under the *Female Genital Mutilation Act 2003*. It is an offence (regardless of their nationality and residence status) to:

perform FGM in the UK

- assist the carrying out of FGM in the UK
- assist a girl to carry out FGM on herself in the UK
- assist from the UK, a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident.

The Act also makes it an offence for UK nationals or permanent UK residents to:

- perform FGM abroad
- assist FGM carried out abroad by a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist from outside the UK for FGM to be carried out abroad by a non-UK person on a girl or woman who is a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist a girl to perform FGM on herself outside the UK, even in countries where the practice is legal.

Any information or concern that a child is at immediate risk of, or has undergone, FGM must result in an immediate child protection referral. This is a **mandatory duty**.

*The All Wales Child Protocol on Female Genital Mutilation* provides advice on safeguarding girls from FGM.

The Home Office has also produced multi-agency guidelines which outline the actions that must be taken by front-line professionals, such as teachers, health professionals, police officers and social workers, to protect girls and women and offer them the support they need.

If you have concerns that a girl or young woman may be taken overseas for FGM then you must immediately raise this concern with the DSP, who will contact the Local Safeguarding Officer, or the Foreign and Commonwealth Office.

FORWARD is a UK organisation which provides support, counselling and safe space for girls and women to talk about their experiences. They can also educate and work with families to prevent FGM happening to any other girls in the family.

The NSPCC has a 24-hour helpline for anyone who is worried a child is at risk of, or has had FGM. You can call 0800 028 3550 or you can email [fgmhelp@nspcc.org.uk](mailto:fgmhelp@nspcc.org.uk).

Notify the DSP if you become aware of:

- A family arranging a long break abroad during the summer holidays, to a country where FGM is known practice.
- Unexpected, repeated or prolonged absence from school.
- Academic work suffering.
- A child may ask a teacher or another adult for help if she suspects FGM is going to happen or she may run away from home or miss school.

### **Indicators FGM may have taken place**

A girl or woman who has had female genital mutilation (FGM) may:

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

### **The physical effects of FGM**

FGM can be extremely painful and dangerous. It can cause:

- severe pain
- shock
- bleeding
- infection such as tetanus, HIV and hepatitis B and C
- organ damage
- blood loss and infections that can cause death in some cases.

### **Radicalisation and 'Prevent' Duty**

Please refer to *Counter-Terrorism, Extremism and Radicalisation Policy*.

In 2011, Welsh Government published guidance *Respect and resilience: Developing community cohesion – a common understanding for schools and their communities* which sets out the role that schools have in developing and supporting strategic approaches to promoting and maintaining community cohesion and eradicating violent extremism.

In 2012 the UK Government launched a refocused Prevent strategy. This strategy contained objectives to:

- respond to the ideological challenge of terrorism and the threat from those who promote it
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation that we need to address.

The School will work with statutory safeguarding partners (such as local authorities, the police, the NHS and youth and offender management services) to:

- identify individuals at risk of being drawn into terrorism
- assess the nature and extent of that risk

- develop the most appropriate support plan for the individuals concerned.

The School will follow its mandatory duty to refer all concerns to the appropriate agencies.

The All Wales PREVENT referral procedure requires all referrals to be made online:

<https://digitalservices.south-wales.police.uk/en/all-wales-prevent-partners-referral-form/>

## Online Safeguarding Issues

### Online, or cyberbullying

Online, or cyberbullying is described as bullying using technology or online services or platforms e.g. gaming, social media, messaging services, forums and chatrooms. Like most bullying behaviour, the actions are often repeated and are deliberately designed to cause distress or harm to the target. The bullying can be carried out on mobile phones, tablets, games consoles, laptops and computers. Rarely does online bullying occur in isolation, most incidents can be seen as an extension of face-to-face bullying. Refer to the School's Anti Bullying Policy.

### Cyber Crime ('Sextortion')

Sextortion involves people being forced into paying money or meeting another financial demand, after an offender has threatened to release nude or semi-nude photos of them. This could be a real photo taken by the victim, or a fake image created of them by the offender.

All age groups and genders are being targeted, but a large proportion of cases have involved male victims aged between 14-18. Ninety one per cent of victims in UK sextortion cases dealt with by the Internet Watch Foundation in 2023 were male.

The School educates pupils and parents about online safeguarding issues through its comprehensive PHSE programme and working with external experts and agencies. MyConcern, our safeguarding software, is linked to Senso Cloud-based online monitoring and safeguarding software. Senso effectively detects harmful and inappropriate behaviour, alerting relevant staff to users who may be vulnerable, at risk, or potentially pose a threat to others.

### Prevention

Abuse is more likely to be prevented or reported quickly if pupils have high self-esteem, confidence, supportive friends and open lines of communication with trusted adults.

At the Haberdashers' Monmouth Schools we will:

- i. maintain an ethos where pupils feel secure and are encouraged to talk and where they believe adults and prefects will listen;
- ii. make sure that pupils know that there are adults in the School whom they can approach if they are worried or are in difficulty;
- iii. include in the curriculum and in activities and PSHE lessons opportunities for pupils to gain self-esteem and confidence so they gain the skills to stay safe and to know to whom to turn for help;
- iv. include in the curriculum material which will help pupils to gain a supportive and caring attitude to others.
- v. Have robust anti-bullying procedures and respond to every instance of bullying (alleged or suspected).

In order to help protect pupils from possible harm, members of staff are asked to take any adult who is looking for a pupil to the School Reception to sign in.

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## Procedures

The procedures followed at The Haberdashers' Monmouth Schools have been accepted by our LSCB (Local Safeguarding Children Board) and are in line with the All Wales Child Protection Procedures.

The School will:

- i. Ensure that senior members of staff are designated with the lead responsibility for child protection.
- ii. Ensure that DSPs have appropriate training on a regular basis.
- iii. Inform staff and governors of the names of the designated members of staff.
- iv. Have procedures in place to take forward concerns when the designated persons are unavailable.
- v. Ensure that members of staff are aware of the need to be vigilant for signs of abuse and that they will know how to respond to a pupil who may tell of abuse.
- vi. Ensure that parents are sent information about the School's Child Protection policy and procedures and that the safeguarding policy is available on the website.
- vii. Provide appropriate training for staff so that they understand their personal responsibilities, know the School's procedures, are vigilant and know how to support a pupil who tells of abuse.
- viii. Ensure that there are robust physical restraint procedures in place and that all staff are trained accordingly.
- ix. Notify the social services if a pupil on the child protection register is excluded from the School for a fixed term or permanently; or if there is an unexplained absence of a pupil on the child protection register of more than two days duration, or one day following a weekend.
- x. Maintain links with relevant agencies and cooperate as required with their enquiries regarding child protection matters including attendance at initial case conferences, core groups and child protection review conferences.
- xi. Keep written records of concerns about children even when there is no need to refer the matters to social services. These records will include date, event and action taken. These records will be confidential and kept in secure, locked locations.
- xii. Ensure that all staff are DBS checked and that all new staff are checked in accordance with Welsh Assembly guidance circular "*Keeping Learners Safe*".
- xiii. Pass on written safeguarding records, both paper and electronic, to a pupil's new school when they move schools. If it is not possible to ascertain which school a pupil is attending after leaving HMS, the School will inform the local authority and will seek advice about the passing on of existing safeguarding records.
- xiv. Designate Governors for Safeguarding.
- xv. Act on any concerns about pupils who have been exposed to radicalisation, in accordance with our Radicalisation Policy.
- xvi. Ensure that pupils with special educational needs are appropriately provided for and seek immediate support when a concern is raised by or about a pupil with SEN.
- xvii. Notify the Charity Commission in the case of a serious incident, in accordance with Charity Commission guidelines (see below for further information).
- xviii. Ensure that all governors are DBS checked and that all new governors are checked in accordance with the latest regulations.

When a member of staff sees signs in the behaviour or attitude of a pupil which causes him or her concern, one of the members of staff responsible for Child Protection (DSP) must be informed. If, in the judgement of the DSP, a referral needs to be made, they will inform (within 24 hours in writing, or with written confirmation of a telephone referral) the relevant child protection/safeguarding service. Referrals are always to be made to social services of the local authority where a pupil

resides. In the case of a boarder who resides outside the UK, the referral is made to Monmouthshire social services.

### **Allegation From a Pupil Against Another Pupil (Peer on Peer Abuse)**

It is essential that all concerns/allegations of peer-on-peer abuse are handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on our School environment. Refer to the Peer-on-Peer Abuse Policy for detailed information.

Any response should:

- Include a thorough investigation of the concerns/allegations and the wider context in which they may have occurred (as appropriate)
- Treat all children involved as being at potential risk - while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves. The School will ensure a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, and additional sanctioning work may be required for the latter
- Take into account that the abuse may indicate wider safeguarding concerns for any of the children involved and consider and address the effect of wider socio-cultural contexts - such as the child's/children's peer group (both within and outside the school); family; the school environment; their experience(s) of crime and victimisation in the local community; and the child/children's online presence. Consider what changes may need to be made to these contexts to address the child's/children's needs and to mitigate risk Peer-on-Peer Abuse Policy Pastoral Reviewed October 2023, next review October 2024
- Understand the potential complexity of peer-on-peer abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited, they are not consenting
- Take into account the views of the child/children affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSP should discuss the proposed action with the child/children and their parents and obtain consent to any referral before it is made. The school will manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so.

The DSP will discuss the concerns or allegations with the member of staff who has reported them and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected. DSPs should always use their professional judgement to determine whether it is appropriate for alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases the DSP may wish to consult with children's social care and/or any other external agencies on a no-names basis to determine the most appropriate response. Where the DSP considers or suspects that the behaviour in question might be abusive or violent on a spectrum (as opposed to inappropriate or problematic), they should contact Monmouthshire (or other local authority) via MARF immediately, and in any event within 24 hours of the DSP becoming aware of it. The DSP will discuss the allegations/concerns with Monmouthshire (or other local authority) and agree on a course of action.

### **Allegation Against Staff**

- i. If an allegation is made against a member of staff then this must be reported to the Head Teacher as well as the DSP (see *Keeping Learners Safe*). See Appendix D.
- ii. If the cause for concern is the member of staff responsible for Child Protection, the DSP, then the member of staff must inform the Deputy DSP and the Head Teacher.

- iii. If the cause for concern is the Head Teacher, then the Chair of Governors must be contacted before speaking with the Headteacher.
  - iv. If the allegation is against the Chair of Governors then the Head must contact the local authority safeguarding lead.
- If urgent action needs to be taken, then the police should be notified at the earliest possible opportunity.

If an allegation against a member of staff is proven and the school ceases to use their services as they are unsuitable to work with children, there will be a report to the Disclosure and Barring Service and the TRA. If the member of staff chooses to resign the investigation will continue and referrals made as above. Compromise agreements will not be used in these cases.

Further information and advice on these matters is available from the DSP.

Suspension should not be an automatic response to an allegation, the school has a duty to its employees and will offer advice and support with guidance from the local authority. If an allegation by a pupil is shown to be malicious the Head will consider disciplinary action in accordance with the school's Behaviour policy.

If a malicious allegation is proven to be actioned by a parents, the head will consider whether to ask for the pupil to be removed from the school.

The DSP has the responsibility for raising staff awareness of child protection matters. This will include giving a copy of the Safeguarding & Child Protection Procedure to new staff, making current staff aware of changes in the procedure and meeting with new staff to explain and answer questions on the procedures.

### **Non-recent Allegation Against Staff**

The Historical Abuse and Allegations Committee will investigate any non-recent allegations against staff. Guidance can be found in the [Procedure for Dealing with Allegations of Historical Abuse Protocol](#).

### **Listening to the Child**

- i. Don't make promises which you may not be able to keep. Don't promise to keep what you have been told a secret as you have a responsibility to disclose information to those who need to know and they may be able to help.
- ii. Remember that the child's welfare is paramount and this must be the most important consideration.
- iii. Listen carefully to any complaint or allegation by the child and tell and show the child that you are taking them seriously.
- iv. Keep questions to a minimum but make sure you are absolutely clear about what a child has said so that you can pass on this information to professionals who are trained and experienced in investigating possible child abuse. Do not prompt or ask leading questions.
- v. Acknowledge how difficult and painful it must have been for them to confide in you and reassure the child, stressing that they are never to blame.
- vi. Stay calm: don't take hasty or inappropriate action.
- vii. As soon as possible after talking with the child make a written record of what the child said, how they were behaving, and what you did in response. Use their exact words if possible.
- viii. Note the date, time, place and names of those present and then sign this record and take it to the DSP as soon as possible after the meeting. Alternatively, the School 'conversation record' form can be used. All conversations must be recorded on the appropriate conversation records, promptly.

### **Talking to Parents and Carers**

When reading this section, it must be remembered that the safety of the child must be paramount.

It is possible that a relationship with parents and carers will have been established and as a general principle it is important to be open and honest when dealing with them.

There may be circumstances, however, when it is not appropriate for parents to be informed immediately of the concerns you have, as this may prejudice any investigation and may place the child at even greater risk.

Always discuss your concerns first with the DSP (contact with parents should be delayed until advice has been sought from one of the professional agencies who have been notified).

### **Responding to Child Abuse: What to do if you are concerned**

Remember that it is not your responsibility to decide if child abuse has occurred, but it is your responsibility to take action, however small your concern.

Your first step must be to inform the DSP who will take responsibility for seeking any additional advice and for contacting the local Social Services Department or the police who are trained to deal with such situations and have the necessary legal power to protect the child.

Haberdashers' Monmouth Schools use an online system called MyConcern for the raising of concerns of a safeguarding nature, or about child abuse. All members of HMS teaching and support staff have a MyConcern account and should see a member of the ICT department if they do not know how to access the system. Upon receipt of a MyConcern entry, the relevant DSP will decide on further action and assign tasks as necessary. Unfamiliarity with MyConcern should never prevent a member of staff from raising a concern about a pupil; it is perfectly acceptable for them to speak to the relevant DSP directly to raise the concern, and for the MyConcern entry to be made later. MyConcern archives all entries and a pupil's MyConcern records can be passed on to another school which uses MyConcern electronically and securely.

If a DSP is not available, or concerns for the child remain, then you must contact the local Care Inspectorate for Wales, Social Services Department, the Police or the NSPCC yourself. It is a legal duty (Social Services and Well-being (Wales) Act 2014) to raise a concern if there is due cause to do so. There will be immunity from disciplinary action against staff for "whistle blowing" in good faith.

The agency receiving your referral will take responsibility for ensuring that appropriate investigations are undertaken and the child protected.

The DSP and the main School office have the contact details of the [Gwent Safeguarding](#). The DSP liaises with the Designated Lead Officer for Safeguarding in Education (Monmouthshire).

### **Referrals**

Referrals are made to the local authority where a pupil resides (or Monmouthshire, in the case of overseas boarders) by the DSPs, the Deputy DSPs or by a Level 3 trained member of staff who has informed the DSP or Deputy DSP that they are going to make a referral.

All records are collated (internal referral forms; conversation records and any other relevant information).



In most instances a preliminary discussion will be held between the DSP and the appropriate Children's Services agency. This is to ensure that the correct information that is required, is shared, and that the correct action is taken.

A multi-agency referral form will be filled out and submitted. A copy will be held securely in the pupil's safeguarding file, alongside all subsequent information.

The DSP or person making the referral may attend strategy meetings relevant to the case. Minutes of these meetings will be taken by a nominated minute-taker and a record will be kept on the pupil's safeguarding file.

### **Supporting Pupils at Risk**

The Haberdashers' Monmouth Schools recognise that children who are abused or who witness violence may find it difficult to develop a sense of self-worth or view the world as a positive place. School may be the only stable, secure and predictable element in the lives of children at risk. Nevertheless, whilst at School their behaviour may still be challenging and defiant or they may be withdrawn.

The School will support pupils through:

- i. The curriculum to encourage self-esteem and self-motivation.
- ii. The School ethos which promotes a positive, supportive and secure environment and which gives all pupils and adults a sense of being respected and valued.
- iii. The implementation of a good behaviour policy.
- iv. A consistent approach which will ensure the pupil knows that some behaviour is unacceptable but that they are always valued.
- v. A commitment to develop productive, supportive relationships with parents.
- vi. The development and support of a responsive and knowledgeable staff group, trained to respond appropriately in child protection situations.
- vii. Recognition that statistically children with behavioural difficulties and disabilities are most vulnerable to abuse. Members of staff who work in any capacity with children with profound and multiple disabilities, sensory impairment and / or emotional and behavioural problems will need to be particularly sensitive to signs of abuse.
- viii. Recognition that in a home environment where there is domestic violence, drug or alcohol abuse, children are vulnerable and in need of considerable support and/or protection.
- ix. The offering of the services of a School Counsellor, where appropriate, in addition to sensitive care from School pastoral staff.
- x. By ensuring that all pupils and adults know to whom they can turn when they need help and by providing a variety of means for them to report concerns either in person or electronically (e.g. Confide / The Student Voice)

### **Behaviour**

The School has outlined in the Appendix B behaviours, expected from all adults, which clearly state our values and expectations.

### **Records and Record Keeping**

Well-kept records are essential in situations where it is suspected that a child may be at risk of harm.

All establishments, organisations and services in Monmouthshire are required to maintain accurate and relevant child protection/safeguarding records. These records must be kept in a secure place and separate from all other records pertaining to the child. These Child Protection Records should be

accessed and maintained by the designated person/s only. Records must be clear, accurate, timed and dated with all actions and decisions recorded. The School will adhere to the requirements of General Data Protection Regulations (GDPR), which came into force on 25 May 2018.

Documents, e.g. conversation records, can be scanned and stored on a pupil's MyConcern profile. Safeguarding records stored on MyConcern are secure and can be passed to another institution via a secure electronic method if that institution uses MyConcern. Where documents relate to safeguarding concerns relating to a member of staff these should be recorded using Confide with reference to the Low-Level Concern Policy.

### **Bullying**

The Haberdashers' Monmouth Schools are committed to providing a friendly, caring environment for all our pupils and staff. We are committed to every person and our ethos is positive and inclusive. Bullying, in any form, is contrary to our principles and will not be tolerated. All members of the community have the right to work in a secure and caring environment. They also have a responsibility to contribute to the protection and maintenance of such an environment.

See *Anti-Bullying Policies* for further information.

Welsh Government guidance *Rights, Respect, Equality: Statutory guidance for governing bodies of maintained schools (Nov 2019)* provides information on tackling bullying in schools and the steps to be taken to support children and young people who report bullying outside school. Although directed at maintained schools, the guidance is considered best practice to be followed and covers:

- bullying around race, religion and culture
- bullying involving children with special educational needs and disabilities
- homophobic bullying
- sexist, sexual and transphobic bullying
- cyberbullying – advances in communication technologies, and access to them by children and young people, has required schools to be vigilant and innovative in finding solutions to their misuse.

*Tackling Hate Crimes and Incidents: A Framework for Action* was launched by the Welsh Government in May 2014. The Welsh Government has funded a children and young person's helpline through MEIC Cymru and a National Hate Crimes and incidents Centre through Victim Support Cymru.

### **Physical Intervention**

See Physical Restraint Policies for further information:

As part of our effective Safeguarding procedures, we recognise that there may be rare occasions where physical intervention is necessary. Physical intervention should only ever be used to:

- Maintain the safety of pupils and staff
- Prevent serious breaches of School discipline
- Prevent serious damage to property

### *Corporal Punishment*

Under no circumstances should any form of corporal punishment be used upon a pupil.

### **Physical Contact**

There are occasions where it is appropriate and proper for staff to have physical contact with pupils however it is crucial that staff only do so in ways appropriate to their professional role and necessary in relation to a particular activity, for example, to demonstrate technique in the use of equipment

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and should only take place in a safe and open environment i.e. one easily observed by others. In situations where physical intervention is necessary procedures for restraint/use of reasonable force must be followed. See Appendix B.3. *Reasonable Force*

There may be occasions when circumstances warrant the restraining of a child – holding the child against their will.

The law does not lay down precise acts of force which are deemed 'reasonable' in given circumstances. Its use will always depend upon the particular circumstances.

The use of force can be minimised by:

- Creating a calm environment that minimises the risk of incidents
- De-escalating incidents if they do arise
- It is important to communicate calmly with the pupil, using non-threatening behaviour and language, ensuring the pupil can see a way out of a situation. Strategies might include going to a quiet room away from bystanders.

Restraint is only used when the risks involved in doing so are outweighed by the risks involved in not using force.

Any incident involving restraint must be recorded on My Concern and the DSP and Headteacher informed.

### **What to do if staff have a concern about someone else's welfare**

Staff who have concerns about the welfare of others or any other safeguarding issue not expressly covered by this policy, must report them. The Low-level Concerns policy details how staff should raise a safeguarding concern involving a member of staff.

Concerns may be reported either electronically using Confide or in person either to a line manager or one of the safeguarding team in the first instance.

### **Low Level Concerns**

If staff have a safeguarding concern or an allegation about another member of staff (including supply staff, volunteers or contractors) that does not meet the harm threshold, this should be shared in accordance with the School's Low Level Concerns policy (see policy for more detail). The term 'low-level' concern does not mean that it is insignificant.

A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or behalf of the school may have acted in a way that:

- is inconsistent with the School's Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LA.

Such examples might include staff being over-friendly with children, having favourites, taking photographs of Students on personal mobiles, engaging with a child on a one-to-one basis in a secluded area of behind a closed door, or humiliating pupils. See separate Low-Level Concern Policy for more detail which deals with the process to deal with any concerns (including allegations) which do not meet the harm threshold. Reports should be shared via Confide reporting software or with the Head (via the DSP if preferred) and recorded and dealt with proportionately and appropriately.

## Whistleblowing

The School has a policy and procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations or unethical conduct including potential failures by the School or its staff to properly fulfil its safeguarding responsibilities. The policy also provides, if necessary, for such concerns to be raised outside the organisation. Please see the School's Whistleblowing policy.

Please see Appendix D of this policy for the procedures applicable to dealing with allegations against staff involving risks of harm to children.

The School will follow its employment procedures for dealing with any other concern raised about staff, involving external agencies as appropriate.

Detailed guidance is provided to staff to ensure that all staff are clear on the rules of conduct and the expectations of the School. See Appendix B of this policy, for staff working with Young People in School for further information.

### 1. Additional reporting

In addition to the reporting requirements explained above, the School will consider whether it is required to report safeguarding incidents to any other regulatory body or organisation, including but not limited to:

#### Charity Commission

The School is a registered charity and is required to report all serious incidents to the Charity Commission in accordance with the guidance [How to report a serious incident in your charity \(Charity Commission, September 2017\)](#).

Serious incidents that will be reported to the Charity Commission include suspicions, allegations or incidents of abuse involving past or present pupils. This is likely to involve the following:

- (i) pupils have been, or are alleged to have been, abused or mistreated while under the care of the School or by someone connected with the School, for example a Governor, staff member or volunteer;
- (ii) there has been an incident involving the abuse or mistreatment (alleged or actual) of someone and this is connected with the activities of the School;
- (iii) there has been a breach of the School's procedures or policies which has put pupils at risk, including failure to carry out checks which would have identified that a person is disqualified in law, under safeguarding legislation, from working with children.

The School will notify the Charity Commission of other agencies to which the incident has been reported in accordance with this policy.

#### Insurers

The School will consider whether it is necessary to report a safeguarding incident to the relevant insurers and / or brokers. It may be necessary to report to a number of insurers as there may be concurrent cover under existing and historic policies.

If the School is in any doubt with regard to the correct insurer and / or policy and / or if it is unable to locate the relevant insurer, professional advice should be sought.

**Boarding Schools Association (BSA)**





The School will report to the BSA all safeguarding cases which have resulted in a referral to an external body and which involve allegations against staff or peer on peer abuse.

**External lets**

As detailed in the Enterprises External Letting and Hiring Policy, All hirers are required to sign the 'HMSL Enterprises – Safeguarding' document (Appendix 8) to confirm if the hire involves children or vulnerable adults. If it does, the hirer is required to provide the Companies or Schools with a copy of their safeguarding policy.

## Safeguarding Teams

### Monmouth Prep School

			
<p><b>Mr Tom Evans</b> Deputy Head of Monmouth Prep School (Pre-Prep and Pastoral Lead), <b>DSP based at the Agincourt site</b></p> <p>evans.thomas@habsmonmouth.org</p> <p>Tel: 01600 713970</p>	<p><b>Mr Kevin Shepherd</b> Head of KS2 (Pastoral) <b>DSP based at the Grange site</b></p> <p>shepherd.kevin@habsmonmouth.org</p> <p>01600 710911</p>	<p><b>Mr Neil Shaw</b> Head of Monmouth Prep School <b>Deputy DSP</b></p> <p>shaw.neil@habsmonmouth.org</p> <p>01600 710911</p>	<p><b>Mrs Jo Booth</b> Designated Governor for Safeguarding</p> <p>booth.jo@habsmonmouth.org</p>

MPS Colleagues who are trained in Child Protection Advanced:

Mr	Tom	Evans	Deputy Head of Monmouth Prep School (Pre-Prep and Pastoral Lead), Designated Senior Person
Mr	Kevin	Shepherd	Head of KS2 (Pastoral) at Monmouth Prep School, Designated Senior Person
Mr	Neil	Shaw	Head of Monmouth Prep School, Deputy Designated Senior Person
Mrs	Victoria	Taylor	Nursery Lead at Monmouth Prep School

## Monmouth School for Girls



**Ms Jodie Knight**  
Deputy Head (Pastoral)  
**Designated  
Safeguarding  
Person**  
*knight.jodie@  
habsmonmouth.org*  
01600 711179



**Mr Alex Peace**  
Director of Boarding  
**Deputy DSP (Boarding)**

Peace.alexander  
@habsmonmouth.org

07779 004442



**Ms Marie Wilkes**  
Head of Year  
**Deputy DSP**  
*wilkes.marie@  
habsmonmouth.org*  
01600 711157



**Mrs Victoria Lyons**  
Head of Year  
**Deputy DSP**  
*lyons.victoria@  
habsmonmouth.org*  
01600 711100



**Miss Sarah Fowler**  
Assistant Head (Wellbeing)  
**Deputy DSP**

fowler.sarah  
@habsmonmouth.org  
01600 713143



**Mrs Jo Booth**  
Designated Governor for  
Safeguarding

booth.jo@habsmonmouth.org

MG colleagues who are trained in Child Protection Advanced:

Ms	Jodie	Knight	Senior Deputy Head (Pastoral) ( <b>Designated Senior Person</b> and designated person for Looked After Children (LAC) in Monmouth Schools)
Mr	Alex	Peace	Director of Boarding <b>Deputy DSP (Boarding)</b>
Miss	Sarah	Fowler	Assistant Head (Wellbeing) <b>Deputy DSP</b>
Mrs	Louise	Goodwin	Senior School Nurse
Mrs	Julia	Harper	Head of Year 11
Mrs	Victoria	Lyons	Head of Years 7 & 8
Ms	Marie	Wilkes	Head of Year 13
Ms	Sheila	Mone	Housemistress Twiston Davies
Mr	David	Evans	Estates Administrator
Staff across the Girls' and Boys' Schools			
Mrs	Clare	Livingston	Housekeeping Manager
Mrs	Karen	Wood	Catering manager
Mr	Darian	Evans	Head of Pupil Progress and Assessment (Assistant Head)

## Monmouth School for Boys



**Mr David Edwards**  
Senior Deputy Head (Pastoral)  
**MB DSP**

edwards.david  
@habsmonmouth.org

07771 995 365



**Mr Alex Peace**  
Director of Boarding  
**Deputy DSP (Boarding)**

peace.alexander  
@habsmonmouth.org

07779 004442



**Miss Sarah Fowler**  
Assistant Head (Wellbeing)  
**Deputy DSP**

fowler.sarah  
@habsmonmouth.org

01600 713143



**Mr David Hope**  
Housemaster  
**Deputy DSP**

hope.david  
@habsmonmouth.org



**Dr Sue Honeywill**  
Designated Governor for  
Safeguarding

honeywill.sue  
@habsmonmouth.org

MB colleagues who are trained in Child Protection Advanced:

Mr	David	Edwards	Senior Deputy Head (Pastoral) <b>Designated Senior Person</b>
Mr	Alex	Peace	Director of Boarding <b>Deputy DSP (Boarding)</b>
Miss	Sarah	Fowler	Assistant Head (Wellbeing) <b>Deputy DSP</b>
Mr	David	Hope	Housemaster Weirhead House <b>Deputy DSP</b>
Mr	Simon	Dorman	Headmaster, Monmouth School for Boys
Mrs	Louise	Goodwin	Senior School Nurse
Mrs	Tracey	Jones	School nurse
Mrs	Georgie	Peace	Director of Sixth Form
Mr	Mark	Tamplin	Housemaster Hereford House
Mr	Philip	Vaughan-Smith	Housemaster of New House

### Haberdashers' Monmouth Schools (HMS) Governors and joint schools' staff

Governors and joint schools' staff who are trained in Child Protection Advanced:

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Lord	Colin	Moynihan	Chair of Governors
Mrs	Jo	Booth	Chair Pastoral Committee, Designated Safeguarding Governor, MG and MPS
Dr	Sue	Honeywill	Governor, Designated Safeguarding Governor, MB
Mrs	Liz	Ashford	Governor
Professor	Richard	Carwardine	Governor
Prof.	Anne	Davies	Governor
Mr	Iain	De Weymarn	Governor
Mr	Steve	Garratt	Governor
Mr	Tim	Haden-Scott	Governor
Mr	Gus	Lock	Governor
Mr	Noel	Manns	Governor
Mr	John	McLaren	Governor
Mr	Roger	Miners	Governor
Mr	Anu	Mohindru QC	Governor
Mr	Nick	Waters	Governor
Dr	Ruth	Weeks	Governor
Mrs	Rachel	Williams	Governor
Mrs	Clare	Stansfield	Clerk to the Governors

## Appendix A: Child Protection

### Checklist of Signs and Symptoms of Abuse

#### 1. Signs of physical abuse

- Unexplained injuries or burns, particularly if they are recurrent
- Improbable excuses given to explain injuries
- Untreated injuries
- Admitting to punishment that appears to be excessive
- Bald patches
- Withdrawal from physical contact
- Arms and legs covered during hot weather
- Fear of returning home
- Self-destructive tendencies
- Aggression towards others
- Running away

#### 2. Signs of emotional and verbal abuse

- Physical, mental and emotional development lags behind that of others of a similar age
- Admitting to punishment that appears excessive
- Over-reaction to mistakes
- Continued self-depreciation
- Sudden speech disorders
- Inappropriate emotional responses to painful situations
- Neurotic behaviour (rocking, hair twisting, thumb sucking)
- Self-mutilation
- Fear of parents being contacted
- Extremes of passivity or aggression
- Running away
- Compulsive stealing, scavenging

#### 3. Signs of neglect

- Constant hunger
- Poor personal hygiene
- Constant tiredness
- Poor state of clothing
- Emaciation
- Frequent lateness or non-attendance at School
- Untreated medical problems
- Destructive tendencies
- Low self-esteem
- No social relationships

- Running away
- Compulsive stealing or scavenging

#### 4. Signs of sexual abuse

- Sudden changes in behaviour or school performance
- Displays of affection in a sexual way inappropriate to age
- Tendency to cling or need constant reassurance
- Tendency to cry easily
- Regression to younger behaviour (thumb-sucking, acting like a baby)
- Complaints of genital itching or pain
- Distrust of familiar adults
- Unexplained gifts (money or kind)
- Depression or withdrawal or apparent secrecy
- Wetting, day or night
- Sleep disturbances/nightmares
- Anorexia/bulimia
- Unexplained pregnancy
- Fear of undressing for PE, Games and in the boarding house
- Phobias or panic attacks

## Appendix B: Guidelines for staff working with young people in school

1. **Context**
  - a. Staff working in education settings have a crucial role to play in shaping the lives of young people. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance has been produced to help adults establish the safest possible learning and working environments which safeguard children and young people and reduce the risk of adults working with them being falsely accused of improper or unprofessional conduct.
  - b. This means that these guidelines:
    1. apply to **all** adults working in education settings whatever their position, role or responsibilities;
    2. may provide guidance where an individual's suitability to work with pupils has been called into question.
2. **Curriculum**
  - a. Staff should be aware that curriculum content can sometimes include subject matter which is sexually explicit or of an otherwise sensitive nature. Care should be taken to ensure that curriculum materials cannot be misinterpreted and clearly relate to the learning outcomes identified for that lesson. Schemes of work should highlight particular areas of risk and sensitivity.
  - b. The curriculum can sometimes include or lead to unplanned discussion about subject matter which is sexually explicit, or of an otherwise sensitive nature. Responding to pupils' questions may require careful judgement and staff may wish

- to take guidance in these circumstances. This means that staff must not enter into or encourage inappropriate or offensive discussion about sexual activity.
- c. Care should also be taken to abide by the School's policy on sex education and the wishes of parents who have the right to withdraw their children from all or part of any sex education provided (but not from the biological aspects of human growth and reproduction).
  - d. This means that all adults should:
    - 1. have clear written lessons plans;
    - 2. take care when encouraging pupils to use self-expression, not to overstep personal and professional boundaries;
    - 3. be able to justify all curriculum materials and relate these to clearly identifiable lessons plans.
  - e. This means that all adults must not:
    - 1. enter into or encourage inappropriate discussions about sexual activity or any behaviours which may offend or harm others.
3. **Physical Education and other activities, which require physical contact**
- a. Some staff, those who teach PE and games or who offer music tuition, for example, will on occasions have to initiate physical contact with pupils in order to support a child so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's, usually verbal, agreement.
  - b. Contact under these circumstances should be for the minimum time necessary to complete the activity. This means that staff should:
    - 1. consider alternatives where it is anticipated that a pupil might misinterpret any such contact perhaps involving another member of staff or a less vulnerable pupil in the demonstration;
    - 2. always explain to a pupil the reason why contact is necessary and what form that contact will take.
  - c. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child.
  - d. Staff must remember:
    - 1. never to touch a child in a way which may be considered indecent;
    - 2. to always be prepared to explain actions and accept that all physical contact should be open to scrutiny;
    - 3. never to indulge in horseplay, tickling or fun fights;
    - 4. they must not use an object, such as a stick, to make physical contact;
    - 5. physical contact must never be secretive, or for the gratification of staff, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances must be recorded in writing as soon as possible and given to CPLO with a copy placed on the child's file.
  - e. This means that adults should:
    - 1. be aware that even well-intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described;
    - 2. never touch a child in a way which may be considered indecent;
    - 3. always be prepared to report and explain actions and accept that all physical contact should be open to scrutiny;
    - 4. not indulge in horseplay;
    - 5. always encourage children, where possible, to undertake self-care tasks independently;
    - 6. work within Health and Safety regulations;

7. be aware of cultural or religious views about touching and always be sensitive to issues of gender;
8. understand that physical contact in some circumstances can be easily misinterpreted.

#### 4. **Trips and off site visits**

- a. These guidelines must apply to residential/non residential visits. Aspects of Child Protection must be included in the Risk Assessment where appropriate. Always refer to Keeping Learners Safe, 275/2021.
- b. Particular attention must be paid to:
  1. when pupils are staying with host families, staff must be aware of any vetting process that goes on in-country and by the local school/agent;
  2. when pupils are staying in a residential centre/hostel/hotel. Pupils must only stay in accredited, official and recognised venues and must seek assurance that appropriate child protection checks are in place.

#### 5. **Internet use**

- a. Members of staff are permitted to use portable devices appropriately. The school has clear policies and an Acceptable Users Policy about access to and the use of the internet. Under no circumstances should staff in school access inappropriate images.
- b. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is behaviour that, if proven, will invariably result in the individual being barred from work with children and young people.
  1. In general a person's private activities, including use of the internet, that does not involve child pornography or other illegal material, will not impinge on his or her suitability to work with children. However, using school or college equipment to access other inappropriate or indecent material, including adult pornography, will give grave cause for concern, particularly if as a result pupils might be exposed to inappropriate or indecent material. Staff should be aware that this would be construed as gross misconduct under the School's normal disciplinary procedures.
  2. No pupil should use a member of staff's personal portable device or have access to the staff shared area.
- c. This means that the School should:
  1. have clear e-safety policies in place about access to and use of the internet;
  2. make guidance available to both adults and pupils about appropriate usage.
- d. This means that all adults should:
  1. follow their school's guidance on the use of portable devices;
  2. ensure that children are not exposed to unsuitable material on the internet;
  3. ensure that any films or material shown to pupils are age appropriate.

#### 6. **One-to-one situations**

- a. Every organisation working with or on behalf of children and young people should consider one-to-one situations when drawing up their policies. This includes schools and other education settings.
- b. It is not realistic to state that one-to-one situations should never take place. It is, however, appropriate to state that where there is a need, agreed with a senior manager and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. Adults should be offered training and guidance in the use of any areas of the workplace which may place themselves or children in vulnerable situations.

- c. One-to-one situations have the potential to make a child/young person more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one-to-one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one-to-one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of pupils and the adults who work with them.
- d. There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one-to-one work. These assessments should take into account the individual needs of the child/young person and the individual worker and any arrangements should be reviewed on a regular basis.
- e. Pre-arranged meetings with pupils away from the School premises are not permitted unless approval is obtained from their parent and the Head or other senior colleague with delegated authority.
- f. This means that adults should:
  - 1. ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed;
  - 2. avoid meetings with a child or young person in remote, secluded areas;
  - 3. always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by;
  - 4. avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy.
  - 5. always report any situation where a child becomes distressed or angry to a senior colleague;
  - 6. carefully consider the needs and circumstances of the child/children when in one-to-one situations.

## 7. **Transporting pupils**

- a. In certain situations, e.g., out of school activities or medical emergencies, staff or volunteers may be required to transport children. The Deputy Head (Pastoral) should be notified of any journeys.
- b. Staff should not transport children alone, whenever practicable.
- c. Children should sit in the back of a car only, with seatbelts on.
- d. This means that the School should have appropriate policies for transporting pupils.
- e. This means that adults should:
  - 1. ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/or ability to drive;
  - 2. be aware that the safety and welfare of the child is their responsibility until they are safely passed over to a parent/carer;
  - 3. record details of the journey in accordance with agreed procedures;
  - 4. ensure that their behaviour is appropriate at all times;
  - 5. ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven;
  - 6. ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned.

## 8. **First Aid and administration of medication**

- a. Only staff who are trained should administer First Aid. When administering First Aid, staff should ensure that other adults or children are present, or aware of the action being taken, even in extreme emergency circumstances, whenever possible. Parents must always be informed when First Aid has been administered.

- b. This means that staff should:
  - 1. make other staff aware of the task being undertaken;
  - 2. explain to the child what is happening.
- c. Ideally, First Aid and administration of medicine should be carried out by the Medical Centre staff. The School adheres to the policies and agreed procedures of its Medical Centre staff regarding the administration of medication.
- d. This means that School should:
  - 1. ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention;
  - 2. ensure there are trained and named individuals to undertake first aid responsibilities;
  - 3. ensure training is regularly monitored and updated;
  - 4. always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication.

## 9. **Photography, video and other creative arts**

- a. Many School activities involve the taking of images. These may be undertaken as part of the curriculum, extra School activities, for publicity, or to celebrate achievement.
- b. Using images of children for publicity purposes will require the consent of either the individual concerned or in the case of under-age pupils, their legal guardians. This means that images must not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the School have access.
- c. This means that staff should:
  - 1. be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded;
  - 2. ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose;
  - 3. ensure that all images are available for scrutiny in order to screen for acceptability;
  - 4. be able to justify images of children in their possession;
  - 5. avoid making images in one-to-one situations;
  - 6. Where possible use School equipment. If using own equipment, ensure images are only taken via OneDrive or Teams and therefore not present/stored on own device.
- d. It is recommended that when using a photograph, the following rules should be followed:
  - 1. if the photograph is used, avoid naming the pupil, unless the photograph is to be used by the local press and permission has been given;
  - 2. if the pupil is named, avoid using his/her photograph;
  - 3. the School establishes whether the image will be retained for further use;
  - 4. images are securely stored and used only by those authorised to do so.
- e. This means that staff must not take or distribute images of children unless they have the consent of both the child and parents.
- f. This means that adults should:
  - 1. be clear about the purpose of the activity and about what will happen to the images when the activity is concluded;
  - 2. be able to justify images of children in their possession;
  - 3. avoid making images in one-to-one situations or which show a single child with no surrounding context;

4. ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed;
5. only use equipment provided or authorised by the School;
6. report any concerns about any inappropriate or intrusive photographs found;
7. always ensure they have parental permission to take and/or display photographs.
8. If any member of the School staff wishes to engage the services of a professional photographers / videographers permission must be sought from the DSP who will advise on the checks must be made with regard to DBS and supervision while on site. Only reputable professional photographers / videographers may be used and due diligence must be carried out in advance of the visit. The School makes every effort to ensure that any images of pupils are held by them securely, responsibly, in accordance with the School's instructions and data protection legislation.

10. **Showers and changing**

- a. Young people are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be a required level of supervision to safeguard young people and satisfy health and safety considerations and to ensure that bullying or teasing does not occur. The supervision will need to be appropriate to the needs and age of the young people concerned.
- b. Staff, therefore, need to be vigilant about their own behaviour. This means that staff should:
  1. announce their intention of entering changing rooms;
  2. avoid remaining in changing rooms unless a pupil's needs require it;
  3. avoid any physical contact when children are in a state of undress;
  4. avoid any visually intrusive behaviour;
  5. not change in the same place as children;
  6. not shower with children.

11. **Communication with pupils**

- a. Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, personal emails, digital cameras, videos, web-cams, websites and blogs.
- b. Adults must not share any personal information with a child or young person. They must not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.
- c. Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.
- d. They must not give their personal contact details to pupils including personal email, home or mobile telephone numbers, unless the need to do so is agreed with senior management and parents/carers. Personal email or text communications between an adult and a child/young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through websites.
- e. This means that adults should:



1. ensure that personal social networking sites are set as private and pupils are never listed as approved contacts;
2. never use or access social networking sites of pupils;
3. not give their personal contact details to pupils, including their mobile telephone number;
4. only use equipment, e.g., mobile phones, provided by School/service to communicate with children, making sure that parents have given permission for this form of communication to be used;
5. only make contact with children for professional reasons and in accordance with any School/service policy;
6. recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible;
7. not use internet or web-based communication channels to send personal messages to a child/young person.

12. **Social contact**

- a. Staff must not establish or seek to establish social contact with pupils for the purpose of securing a friendship, pursuing or strengthening a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement in making a response and be aware that contact could be misconstrued.
- b. This means that staff should:
  1. always approve any planned social contact with senior colleagues;
  2. advise senior management when regular social contact occurs through activities not linked to School;
  3. report and record any situation which, they feel, might compromise the School or their own professional standing.

13. **Pupils in distress**

- a. There may be occasions when a distressed pupil needs comfort and reassurance. This may include appropriate physical contact. Staff should remain self-aware at all times to ensure that their contact is not threatening or intrusive and not subject to misinterpretation.
- b. This means that staff should:
  1. consider the way in which they offer comfort to a distressed pupil;
  2. always tell a colleague when and how they offered comfort to a distressed child;
  3. record any situation which may give rise to concern.

14. **Intimate Care**

This must not be carried out other than by a qualified member of staff.

15. **Sexual contact with young people**

- a. A young person is classified as under 18 years of age or in full-time (secondary/tertiary) education. Sexual contact with a pupil in School, regardless of age, is a criminal offence as it constitutes a breach of our duty-of-care. Activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.
- b. Adult behaviour may also involve 'grooming' a child. This can involve an adult conferring special attention and favour upon a child with the intent of sexually abusing him/her at a future point.

- c. This means that staff must not pursue sexual relationships with children and young people either in or out of School.
- d. Avoid any form of communication with a child or young person which could be misinterpreted as sexually suggestive or provocative, i.e., verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact. Sexual behaviour towards and/or developing a sexual relationship between a member of staff with any young person is inappropriate and illegal. This behaviour is considered as gross misconduct and will result in immediate suspension pending investigation.

#### 16. **Gifts**

- a. Receiving of gifts is essentially inadvisable as it may be inappropriate and, in some cases, constitute a criminal offence. Of course, there are occasions when children wish to pass small tokens of appreciation to staff at Christmas time or as a thank-you gift. In the context of creating safe working practices it is also inadvisable to give or receive gifts regularly or of any value to individual young people. This could be misinterpreted by the pupil, their parents/carers or other adults. It can be misconstrued as a gesture either to bribe or single out the young person and it might be perceived that a 'favour' of some kind is expected in return.
- b. This means that staff should:
  - 1. ensure that gifts received or given in situations which may be misconstrued are declared;
  - 2. not give preferential treatment to any individual young person on a regular basis;
  - 3. ensure that any gifts given as a part of a reward system are small and an accepted part of school practice.

#### 17. **Infatuation**

- a. Staff need to be aware that it is not uncommon for a pupil to develop an infatuation for a member of staff. Staff should be aware that pupils can be strongly attracted to a member of staff and may develop a heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. A member of staff who becomes aware that a pupil may have developed an infatuation (for themselves or a colleague) should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken, where necessary.

#### 18. **Dress and appearance**

- a. It is necessary and wise for staff to consider the manner of dress and appearance appropriate to their professional role as opposed to that which may be adopted in their personal life. This means that staff should wear clothing which:
  - 1. promotes a positive and professional image;
  - 2. is appropriate to their role;
  - 3. may not be viewed as offensive, revealing, or sexually provocative;
  - 4. does not distract, cause embarrassment or give rise to misunderstanding;
  - 5. is absent of any slogans.
- b. Staff who dress or appear in a manner which could be considered as inappropriate or offensive, could render themselves vulnerable to criticism or allegation and should expect guidance from senior staff.

**19. Searching**

- a. If an investigation or an allegation leads to a decision to search a pupil, their clothes, bags or locks, **two** staff members must be present while the search is conducted.
- b. Pupils must be asked to empty pockets and bags themselves.

**20. Personal Care**

- a. Young people, particularly in boarding, are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions when there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.
- b. Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils with whom they work.
- c. This means that all adults should:
  1. avoid any physical contact when children are in a state of undress;
  2. avoid any visually intrusive behaviour;
  3. announce their intention of entering where there are changing rooms.
- d. This means that adults must not:
  1. change in the same place as children;
  2. shower or bathe with children;
  3. assist with any personal care task which a child or young person can undertake by himself/herself.

**21. Use of Personal Living Space**

- a. No child or young person should be in or invited into, the home of boarding staff who work with them, unless the reason for this has been firmly established and agreed with parents and a senior manager.
- b. Under no circumstances should pupils assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.
- c. This means that adults should:
  1. be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations;
  2. challenge any request for their accommodation to be used as an additional resource for the School or School/service;
  3. be mindful of the need to maintain professional boundaries;
  4. refrain from asking pupils to undertake personal jobs or errands.

## Appendix C: Visiting speakers/performers/other service providers

This form is designed to ensure that, as a school, we always fulfil our obligation, as part of our safeguarding duty, to ensure that all visitors to the School site who engage with students have been suitably vetted prior to their visit. This could include visiting speakers, performers, photographers / videographers.

Consideration should be given to the DBS status of any visitor to the site and appropriate supervision put in place in accordance with the School's Safeguarding and Child Protection Policy.

With regard to the Prevent strategy, Speakers should not use promote or advocate any extremist views of any nature or to speak in support of terrorism or terrorist activities or organisations.

This form should be completed:

- Whenever an external speaker / performer / service provider is invited to visit Monmouth Schools.
- Whenever it is proposed for a group or individual pupil to listen to a LIVE podcast or broadcast from an external speaker
- At least 7 days before the visit is due to take place and by the staff member who is arranging the activity

Proposed date and time of talk	Date:
Name of organiser at MG / MB /Sixth Form	
Name of Visitor	
Organisation	
Reason for Visit / Summary of activity	
Which students are involved in the activity	
Does the visitor hold a valid DBS certificate?	
Has this person been to Monmouth Schools in the past? If so, when and in what capacity?	
Please give an outline of the biographical research you have used to assess the level of risk for this visitor and details of any references sought. Information can also be sent separately to the DSP if necessary	

<b>Declaration</b>		Tick box
I have conducted a check of the visitor and, where appropriate, I have looked up any organisations which they represent or with which they are formally associated.	I can see no reason to suggest that there are any concerns with this visitor	<input type="checkbox"/>
	I have some concerns about the speaker. Further checks are required.	<input type="checkbox"/>
Please sign below to confirm		
<ul style="list-style-type: none"> <li>You have carried out the relevant biographic research and included all information on this form (or as a supplementary attachment)</li> </ul>		
Organiser's name:		
Organiser's signature:		
Date :		

<b>Approval</b>	
Approved by the DSP (signature)	
Date	

**VISITING SPEAKERS / PERFORMERS / OTHER SERVICE PROVIDERS EVALUATION FORM**

This form is to be filled in promptly after the activity and copied to the DSP

Name of Visitor	
Date of visit	
Staff Organiser	

General feedback from staff and pupils

Did the activity cause any safeguarding concerns?

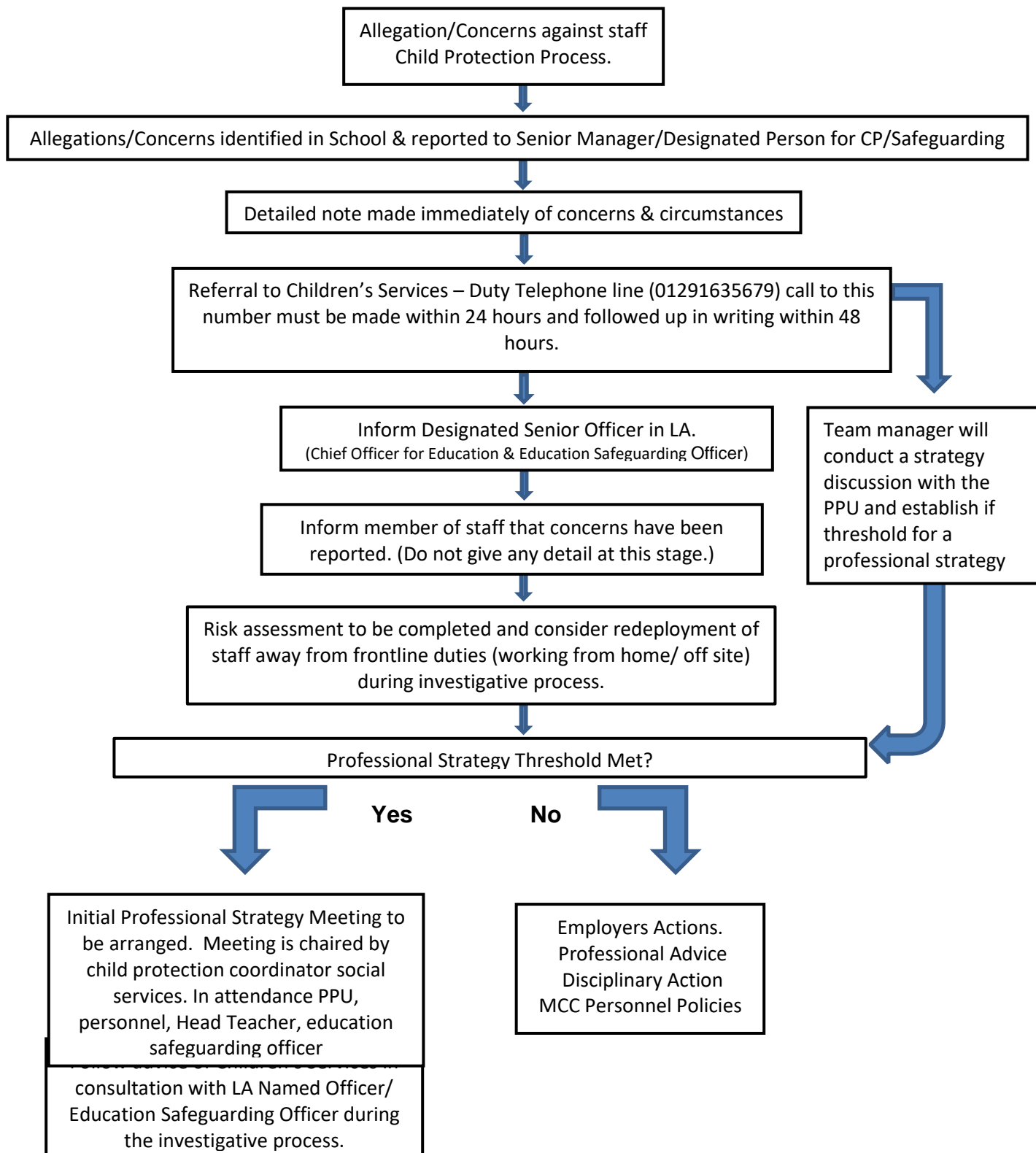
Can this speaker / service provider be booked / listened to again? Yes/No
Signature of Organiser
Date
Name of DSP and date sent

## Appendix D: Dealing with an Allegation Against a Member of Staff or Adult

This flowchart should be used as a brief checklist of procedure in the event of an allegation against a professional in School.

Detailed procedures to follow are outlined in Wales Safeguarding Procedures (2019).

Responsibilities are outlined in *Safeguarding Children: Working together under the Children Act 2004* – Welsh Assembly Government 2007. See also 5.2 v *Safeguarding Children in Education Handling Allegations* and 5.2 ii *Keeping Learners Safe 275/2021*



## Appendix E: Links to external Safeguarding documents

Wales Safeguarding Procedures (2019)

<https://safeguarding.wales/>

Monmouthshire County Council Safeguarding & Child Protection

<https://www.gwentsafeguarding.org.uk/en/Children/Protocols-and-Procedures/National-Documents/National-Protocols-Forms-Guidance-Useful-Documents.aspx>

275/2021 Keeping Learners Safe (Welsh Government, December 2021) Latest version March 2022?

<https://gov.wales/sites/default/files/publications/2021-12/keeping-learners-safe.pdf>

Mandatory reporting of FGM

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/573782/FGM\\_Mandatory\\_Reporting\\_-\\_procedural\\_information\\_nov16\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/573782/FGM_Mandatory_Reporting_-_procedural_information_nov16_FINAL.pdf)

Prevent Duty Guidance for England and Wales

<https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>



## **Annex A – Types of Abuse and Vulnerabilities**

### **Sexual violence and sexual harassment between children.**

Sexual violence and sexual harassment can occur between two children of any age and sex from primary to secondary stage and into college. It can also occur online. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and face to face (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously, offered appropriate support 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.

Staff should be aware that some groups are potentially more at risk. Evidence shows that girls, children with SEND and LGBTQIA children are at greater risk.

Staff should be aware of the importance of:

- challenging inappropriate behaviours;
- making it clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as 'banter', 'part of growing up', 'just having a laugh' or 'boys being boys';
- challenging physical behaviours (potentially criminal in nature) such as grabbing bottoms, breasts, genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

#### **What is sexual violence?**

It is important that staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of school.

When referring to sexual violence we are referring to offences under the Sexual Offences Act (2003), as described below:

Rape: A person (A) commits an offence of rape if:

- they intentionally penetrate the vagina, anus or mouth of another person (B) with their penis,
- B does not consent to the penetration,
- And A does not reasonably believe that B consents.

Assault by penetration: A person (A) commits an offence if:

- they intentionally penetrate the vagina or anus of another person (B) with a part of their body or anything else,
- the penetration is sexual,
- B does not consent to the penetration,
- and A does not reasonably believe that B consents.

Sexual assault: A person (A) commits an offence of sexual assault if:

- they intentionally touch another person (B),
- the touching is sexual,
- B does not consent to the touching,
- and A does not reasonably believe that B consents.

Staff should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.

### **What is consent?**

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if they agree by choice to that penetration and has the freedom and capacity to make that choice.

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

### **What is sexual harassment?**

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

While not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as telling stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual 'jokes' or taunting;
- physical behaviour, such as deliberately brushing against someone, interfering with someone's clothes and displaying pictures, photos or drawings of a sexual nature;
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - o consensual or non-consensual sharing of nudes or semi nudes images and/or videos as set out in the UKCIS Sharing nudes and semi nudes: advice for education settings working with children and young people. Taking and sharing nude photographs of U18s is a criminal offence;
  - o sharing of unwanted explicit content;
  - o upskirting;

- o sexualised online bullying;
- o unwanted sexual comments and messages, including on social media;
- o sexual exploitation; coercion and threats;

### **What is upskirting?**

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019.

Upskirting is where somebody takes a picture under a person's clothing (not necessarily a skirt) without their permission or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

### **Responding to a report of sexual violence or sexual harassment**

The initial response to a report from a child is incredibly important. How staff and the school respond to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward. Schools not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying down of the behaviours can lead to a culture of unacceptable behaviour. It is essential that all victims are reassured that they are being taken seriously and 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.

Further information on Sexual Violence and Sexual Harassment in schools can be found in [Part 5 of Keeping Learners Safe September 22](#) and [Peer-on-peer sexual harassment in education settings: action plan](#) (January 24).

### **Mental Health**

Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences can impact on their mental health, behaviour and education.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the School's Safeguarding and Child Protection Procedures and speaking to the DSP or Deputy DSP.

School can access a range of advice to help us identify children in need of extra mental health support. This starts with accessing our own pastoral support resources but also includes working with external agencies. More information can be found in the 'Mental Health and Behaviour in Schools Guidance'.

**Children Absent from Education**

All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.

Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes

**So-called 'Honour-based' abuse (HBA) including female genital mutilation (FGM) and forced marriage (FM)**

All staff will promote mutual respect and tolerance of those with different faiths and beliefs. Some forms of abuse are linked to these and staff should strive to suspend professional disbelief (i.e. that they 'could not happen here') and to report promptly any concerns to the DSP who will seek further advice from statutory agencies, prior to contacting parents/carers.

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage (FM), and practices such as breast ironing. Abuse committed in the context of preserving 'honour' often involves a wider network of family or community pressure and can include multiple perpetrators. Females are predominantly, but not exclusively, the victims. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of motivation) and should be handled and escalated as such. Staff need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA, and report any concerns to the DSP or DDSP.

If staff have a concern regarding a child who might be at risk of HBA or who has suffered from HBA, they should speak to the DSP or DDSP. As appropriate, the DSP will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and Children's Services. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers that requires a different approach.

**Female Genital Mutilation (FGM)** is illegal and involves intentionally altering or injuring female genital organs for non-medical reasons. It comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It can have serious and long lasting implications for physical health and emotional well-being. Possible indicators include taking a girl out of school/country for a prolonged period or talk of a 'special procedure' or celebration.

In the UK, all forms of FGM are illegal under the *Female Genital Mutilation Act 2003*. It is an offence (regardless of their nationality and residence status) to:

perform FGM in the UK

- assist the carrying out of FGM in the UK
- assist a girl to carry out FGM on herself in the UK
- assist from the UK, a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident.

The Act also makes it an offence for UK nationals or permanent UK residents to:

- perform FGM abroad
- assist FGM carried out abroad by a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist from outside the UK for FGM to be carried out abroad by a non-UK person on a girl or woman who is a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist a girl to perform FGM on herself outside the UK, even in countries where the practice is legal.

Any information or concern that a child is at immediate risk of, or has undergone, FGM must result in an immediate child protection referral. This is a **mandatory duty**.

The [All Wales Child Protocol on Female Genital Mutilation](#) provides advice on safeguarding girls from FGM.

The Home Office has also produced multi-agency guidelines which outline the actions that must be taken by front-line professionals, such as teachers, health professionals, police officers and social workers, to protect girls and women and offer them the support they need.

If you have concerns that a girl or young woman may be taken overseas for FGM then you must immediately raise this concern with the DSP, who will contact the Local Safeguarding Officer, or the Foreign and Commonwealth Office.

FORWARD is a UK organisation which provides support, counselling and safe space for girls and women to talk about their experiences. They can also educate and work with families to prevent FGM happening to any other girls in the family.

The NSPCC has a 24-hour helpline for anyone who is worried a child is at risk of, or has had FGM. You can call 0800 028 3550 or you can email [fgmhelp@nspcc.org.uk](mailto:fgmhelp@nspcc.org.uk).

Notify the DSP if you become aware of:

- A family arranging a long break abroad during the summer holidays, to a country where FGM is known practice.
- Unexpected, repeated or prolonged absence from school.
- Academic work suffering.
- A child may ask a teacher or another adult for help if she suspects FGM is going to happen or she may run away from home or miss school.

#### **Indicators FGM may have taken place**

A girl or woman who has had female genital mutilation (FGM) may:

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

**The physical effects of FGM**

FGM can be extremely painful and dangerous. It can cause:

- severe pain
- shock
- bleeding
- infection such as tetanus, HIV and hepatitis B and C
- organ damage
- blood loss and infections that can cause death in some cases.

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

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out and should discuss any such cases with the DSP or DDSP and involve children’s social care as appropriate.

The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures.

**Forced Marriage (FM)** is a crime in Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (e.g. if they have learning difficulties). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage.

Forced marriage is not the same as arranged marriage. Young people at risk of forced marriage might have their freedom unreasonably restricted or being ‘monitored’ by siblings. There might be a request for extended absence from school or they might not return from a holiday abroad. We recognise that School staff can play an important role in safeguarding children from forced marriage.

**Radicalisation, Extremism and Terrorism**

Children are vulnerable to extremist ideology and radicalisation.

**Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

**Extremism** is defined by HM Government as ‘Vocal or active opposition to fundamental values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of members of our armed forces, whether in this country or overseas’.

**Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child’s vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the house).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children’s behaviour, which could indicate that they may in need of help or protection. Staff should use their judgement in identifying children who may be at risk of radicalisation and act proportionately which may include the DSP making a Prevent referral.

### **The Prevent Duty**

The School is subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have ‘due regard to the need to prevent people from being drawn into terrorism’. The duty is known as the Prevent Duty.

- we recognise that safeguarding against radicalisation and extremism is no different from safeguarding against any other vulnerability.
- our curriculum promotes respect, tolerance and diversity. Children are encouraged to share their views and to understand that they are entitled to have their own different beliefs which should not be used to influence others.
- we recognise that children with low aspirations are more vulnerable to radicalisation and therefore we strive to equip our pupils with confidence, self-belief, respect and tolerance as well as setting high standards and expectations for themselves.
- children are taught about how to stay safe when using the internet and are encouraged to recognise that people are not always who they say they are online. They are taught to seek adult help if they are upset or concerned about anything they read or see on the internet.
- any concerns about pupils becoming radicalised or being drawn into extremism will be reported to the DSP who will *not* speak to parents/carers

or other family members at this stage but will take prompt advice from the Police. Following this, a multi-agency assessment meeting may be called.

- The DSP is also the Prevent Lead.

**Channel** – Channel is a voluntary, confidential and support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Gwent has a Channel Panel in place, in accordance with its duties under the Counter-Terrorism and Security Act 2015. This is a multi-agency meeting which discusses individuals who have been referred by the Police as being vulnerable to being drawn into terrorism. If pupils from the School are being discussed, the DSP or Head would attend the Panel meetings. The School understands its responsibilities under the ‘Prevent’ Strategy and staff have been told of the effects of social media in relation to recruitment or extremist/radicalised causes. The School is also aware of the need to set out clear protocols in ensuring that any visiting speakers, whether invited by staff or the pupils themselves, are suitable and appropriately supervised.

- The DSP should consider if it would be appropriate to share any information with a new school or college in advance of a child leaving.
- For more advice on the Prevent Duty, the HM Government has published ‘The Prevent Duty’. The Home Office has also developed three e-learning modules:
  - Prevent awareness.
  - Prevent referrals.
  - Channel awareness.
- ‘Educate Against Hate’ is a government website designed to support teachers to help them safeguard children from radicalisation and extremism.

### **Domestic Abuse**

The Domestic Abuse Act received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed must be aged 16 or over and they must be ‘personally connected’ (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse regardless of sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside the home.

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members



regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological, physical, sexual, financial and emotional.

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

Young people can also experience domestic abuse within their own intimate relationships. This form of peer on peer abuse is sometimes referred to as 'teenage relationship abuse'. Depending on the age of the young people, this may not be recognised in law under the statutory definition of 'domestic abuse' (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety and welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support.

### **National Domestic Abuse Helpline**

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247.

### **County Lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) using dedicated mobile phone lines or other form of 'deal line'. The activity can happen locally as well as across the UK.

Exploitation is an integral part of county lines with children and vulnerable adults exploited to move and store drugs and money. Offenders will often use coercion, intimidation (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools. Children are also increasingly being targeted and recruited online using social media. Children are often recruited to move drugs or money between locations and are known to be exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. If a child is suspected to be at risk of, or involved in, county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

County lines may also involve 'cuckooing' - where drug dealers or other criminals take over the home of a vulnerable person in order to use it as a base for county lines drug trafficking or in order to control the vulnerable person for criminal benefit. Children will be adversely affected by this if their home is 'taken over'.

### **Children Missing from Education**

We recognise that a child going missing from education is a potential indicator 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 indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of FGM, HBA or FM. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future.

Therefore, all staff will follow the School's procedure for dealing with unauthorised absence, particularly on repeat occasions, to help identify vulnerable pupils and to help prevent the risks of their going missing in future. Actions could include involving other professionals and, if any of the criteria are met, informing the local authority where a pupil's name has been removed from the school roll.

### **Children with family members in prison**

These children are at risk of poor outcomes including stigma, isolation and poor mental health. The National Information Centre on Children of Offenders (NICCO) provides information designed to support professionals working with children of offenders to help mitigate the negative consequences for those children.

### **Serious Violence**

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

Staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending, such as theft or robbery.

Staff should be aware of the risks and understand the measures in place to manage these.

Advice for schools is provided in two Home Office links:

[Preventing youth violence and gang involvement](#) and [County Lines Guidance](#).

Advice and support specific to South Wales is found via the [Violence Prevention Unit](#).

### **Children with special educational needs and who are disabled (SEND)**

Children with a disability are children first and foremost, and deserving of the same rights and protection as other children. By definition, any child with a disability should also be considered as a child in need of additional support and help. A child can be considered to be disabled if he or she has significant problems with communication, comprehension, vision, hearing or physical functioning.

Research shows that children with special educational needs and who are disabled are especially vulnerable to abuse and adults who work with them need to be vigilant and take extra care when interpreting apparent signs of abuse or neglect.

Additional barriers can exist for adults who work with such children, in respect of recognising abuse and neglect. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- Children with SEND and who are disabled can be disproportionately impacted by things like bullying – without outwardly showing any signs; and
- Communication barriers and difficulties in overcoming these barriers

These child protection procedures will be followed if a child with special educational needs and who is disabled discloses abuse or there are indicators of abuse or neglect. There are no different or separate procedures for such children.

Staff will support such pupils in expressing any concerns they may have and will be particularly vigilant to any signs or indicators of abuse, discussing this with the DSP as appropriate.

### **Lesbian, Gay, Bisexual, Trans, Queer/Questioning, Intersex and Asexual(LGBTQIA)**

Children who identify as LGBTQIA can be targeted by their peers on account of their sexual orientation or gender identity. In some cases, a pupil who is perceived by their peers to be LGBTQIA (whether they are or not) can be just as vulnerable as children who identify as LGBTQIA. Please refer to the School's LGBT+ Policy.

### **Child exploitation, including Child sexual exploitation (CSE) and Child criminal exploitation (CCE)**

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation. Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation. Where this is the case, it is important that the child perpetrator is also recognised as a victim. Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child for abuse including via the internet. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child or young person (male or female) under the age of 18, including 16 and 17 year olds who can legally consent to have sex. It can occur

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

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country, forced to shoplift or pickpocket, or to threaten other young people.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however staff should be aware that girls are at risk of criminal exploitation, too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

Recognition of CSE and CCE is part of staff training. We note that any child or young person may be at risk of this form of abuse, regardless of family background or other circumstances, and can experience significant harm to physical and mental health.

#### **Pupils engaging in underage sexual activity**

Sexual activity where one of the partners is under the age of 16 is illegal, although prosecution of children who are consenting partners of a similar age is not usual. DSPs will exercise professional judgement when deciding whether to refer to social workers and/or the police, taking into account such things as imbalance of power, wide difference in ages or developmental stages etc.

However, where a child is under the age of 13 penetrative sex is classified as rape under the Sexual Offences Act 2003 so must be reported to social workers and the police in every case.

#### **Children Looked After (CLA)**

The term 'child looked after' refers to any child up to the age of 18 that has been in the care of their Local Authority for more than 24 hours. This includes children in the care system, such as those living in a children's home, those in foster care and those living away from their parents. This can happen with agreement from the child's parents or by court order.

The definition of a CLA under the Children Act 1989 is, any child that is provided accommodation by the Local Authority for more than 24 hours and/or is subject to a care order or a placement order from court.

Children enter the Local Authority's care to ensure their safety and protection. There are many reasons why a child may need to be protected. For example, their parents or carers may be ill, have substance misuse issues, be maltreating them, unable to cope financially or the child may be an unaccompanied asylum-seeker. In the United Kingdom (UK), Local Authorities must support children that leave care at the age of 18 until they are at least 21 years old.

The definition of LAC varies slightly between nations in the UK and follows different legislation, policies and guidance. The main difference between the definition of a LAC in

England and Scotland is that in Scotland children under a supervision requirement order are included. This means that some LAC will live at home, but have regular contact from social services.

### **Legislation and Guidance**

The legislation and guidance relating to LAC includes:

- The Children and Young Persons Act 2008.
- The Children and Families Act 2014.
- All Wales Social Care Code of Practice – Looked After and Accommodated Children
- Department of Education (DfE) guidance on care planning, placement and case review.
- DfE guidance on reducing criminalisation of looked after children and care leavers.
- DfE guidance on promoting the education of CLA and previously CLA.
- National Institute for Health and Care Excellence (NICE) guidance for CLA and young people.
- [Designated Person in Charge of CLA in Schools Guidance](#)

The adverse events often experienced early in life by CLA can have a huge impact on their emotional and mental wellbeing. As a result, each child will have their own needs in order to live a fulfilled life. It is important that those with safeguarding responsibilities understand the additional duties they have for LAC to keep them safe, while meeting their specific needs.

### **Safeguarding Children Looked After**

CLA are often at greater risk than other children their age, therefore require additional safeguards to keep them safe and protected.

As mentioned, being a looked after child can have an impact in different ways, including:

- Being at risk of bullying from peers.
- An increased risk of running away or going missing.
- An increased risk of being a victim of exploitation.
- Being more likely to have a mental health issue.
- An increased risk of substance abuse.
- Difficulty forming relationships and trusting people.
- Struggling with education.

CLA must be supported so they have the same opportunities as other children their age. This can help them to have a fulfilled childhood and enter adulthood successfully.

It is important to acknowledge the multitude of different backgrounds that CLA come from. Some CLA may be victims of child maltreatment, they may have moved in and out of care or between foster homes, they may have run away from home or care and they may show challenging behaviours due to their early experiences.

Research from the NSPCC identified five ways to improve CLA's emotional and mental health. They are:

- Embedding an emphasis on emotional wellbeing throughout the system.

- Taking a proactive and preventative approach through thorough assessments of each child's specific needs.
- Giving LAC a voice and the opportunity to make decisions about their own care and support.
- Supporting children's relationships by being sensitive, understanding and resilient.
- Helping children identify and strengthen their support networks.

### *Privately fostered children*

The Children Act 2004 establishes the duty of all local authorities to promote awareness of the need to notify them about any privately fostered children living in their area.

In 2011 the Welsh Government published *Protecting Children, Supporting Foster Carers: A Toolkit for Dealing with an Allegation of Abuse* to assist fostering services in the public and independent sectors, and child protection managers in dealing with allegations against foster carers.

The School recognises its duty to notify the local authority of any private fostering arrangement that comes to their attention where they are not satisfied that the local authority has been, or would be, notified of the arrangement. It is good practice to inform the foster parents of the referral but if it is considered that this could place the child at risk of harm then it is not necessary to obtain consent.

The Children Act 1989 creates a number of offences in connection with private fostering, including failure to notify an arrangement or to comply with any requirement or prohibition imposed by the authority. The Children Act 2004 strengthens local arrangements for notification.

**Private foster carers** are people who are not a close relative to a child but plan to look after them for 28 days or more. The local authority must be notified so they can assess and support them to ensure it is a safe place for the child.

Private fostering is when a child or young person under 16 years old (or 18 if they have a disability) is looked after for a period of 28 days or more by someone who is not a parent, close relative, legal guardian or person with parental responsibility. Close relatives are step-parents, aunts, uncles, brothers, sisters and grandparents. Other people, such as neighbours, friends or more distant relatives need to have an assessment. Following a successful assessment, the local authority must visit the child regularly to ensure they are and remain safe.

By law, the local authority where the private foster carer lives must be told about all private fostering situations. The child's parents, private foster carer and anyone else involved in the arrangement are legally required to inform the local authority. **Schools should be clear who has parental responsibility for children on their roll, and where they identify a private fostering arrangement they must report this to the relevant local authority.**