



# **Safeguarding and Child Protection Policy and Procedures**

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# Safeguarding and Child Protection Policy and Procedures

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## **Policy statement and principles**

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

The procedures contained in this policy apply to all staff, volunteers, directors and governors.

Our core safeguarding principles are:

- the schools' responsibility to safeguard and promote the welfare of children is of paramount importance
- safer children make more successful learners
- policies will be reviewed at least annually unless an incident or new legislation or guidance suggests the need for an interim review.

## **Policy principles**

- The welfare of the child is paramount
- All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection
- All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm
- Pupils and staff involved in child protection issues will receive appropriate support
- Providing continuing support to a child about whom there have been concerns who leaves school by ensuring that appropriate information is copied under confidential cover to the child's new setting and ensuring the school medical records are forwarded as a matter of priority.
- Children are taught to understand and manage risk through our personal, social, health and economic (PHSE) education and Relationship and Sex Education and through all aspects of school life. This includes online safety.

## **Policy aims**

- To provide an environment in which children and young people feel safe, secure, valued and respected, and feel confident to, and know how to approach adults if they are in difficulties, believing they will be effectively listened to.
- To provide all staff with the necessary information to enable them to meet their child protection responsibilities.
- To ensure consistent good practice.
- To demonstrate the schools' commitment with regard to child protection to pupils, parents and other partners.
- To provide a systematic means of monitoring children known or thought to be at risk of harm, and ensure we, the schools, contribute to assessments of need and support packages for those children.
- To develop a structured procedure within the schools which will be followed by all members of the schools' communities in cases of suspected abuse.

### **Terminology**

**Safeguarding** and promoting the welfare of children refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes.

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

**Staff** refers to all those working for or on behalf of the schools, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

**DSL** refers to the designated safeguarding lead at each school.

**Child** includes everyone under the age of 18.

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

## **Roles and Responsibilities**

This policy is reviewed by the Uffculme Academy Trust (UAT, the Trust) Board each year. The directors acknowledge that safeguarding is a matter for all directors and for all governors in Local Governing Bodies (LGBs). The nominated Director for Safeguarding is Mrs Jill Larcombe.

Each school within the Trust will have a Designated Safeguarding Lead, a Deputy Safeguarding Lead and a number of other colleagues who have Level 3 Safeguarding training and who are able to deputise for the safeguarding lead.

Each Local Governing Body will also have a governor who leads on Safeguarding for the school.

## **The Local Governing Bodies and Trust Board**

- All directors of the Trust's Board and governors of its LGBs understand and fulfil their responsibilities, namely to ensure that there is a Child Protection and Safeguarding Policy together with Safer Working Practice guidance for staff;
- child protection, safeguarding, recruitment and managing allegations policies and procedures, including the Safer Working Practice guidance for staff, are reviewed annually and that the Child Protection policies are publicly available on the schools' websites or by other means;
- ensures that all staff including temporary staff and volunteers are provided with the schools' child protection policy and Safer Working Practice guidance;
- all staff have read Keeping Children Safe in Education (2018) Part 1 and Annex A and that mechanisms are in place to assist staff in understanding and discharging their roles and responsibilities as set out in the guidance.
- the schools operate a safer recruitment procedure that includes statutory checks on staff suitability to work with children and disqualification by association regulations and by ensuring that there is at least one person on every recruitment panel who has completed safer recruitment training;
- the schools have procedures for dealing with allegations of abuse against staff (including the headteacher), volunteers and against other children and that a referral is made to the DBS if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have had they not resigned.
- a governor in the LGB or a director of the Trust, of a, usually the Chair, is nominated to liaise with the LA on Child Protection issues and in the event of an allegation of abuse made against the Headteacher

- a member of the senior leadership team has been appointed by the Trust Board as the Designated Safeguarding Lead (DSL) who will take lead responsibility for safeguarding and child protection and that the role is explicit in the role holder's job description;
- on appointment, the DSL and deputy(ies) undertake appropriate identified training offered by DCFP or other provider every two years;
- all other staff have safeguarding training updated as appropriate;
- at least one member of each of the LGBs within the Trust has completed safer recruitment training, and this is to be repeated every five years.
- children are taught about safeguarding (including online safety) as part of a broad and balanced curriculum covering relevant issues through personal social health and economic education (PSHE);
- appropriate safeguarding responses are in place for children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future;
- appropriate online filtering and monitoring systems are in place;
- enhanced DBS checks (without barred list checks, unless the governor is also a volunteer at the school) are in place for all Governors;
- any weaknesses in Child Protection are remedied immediately.

### **The Designated Safeguarding Lead(s) (DSL(s)):**

- has the status and authority within their school to carry out the duties of the post, including committing resources and supporting and directing other staff
- is appropriately trained, with regular updates
- acts as a source of support and expertise to the school community
- has a working knowledge of DCFP procedures
- makes staff aware of DCFP training courses and the latest policies on safeguarding
- keeps detailed written records of all concerns, ensuring that such records are stored securely and flagged on, but kept separate from, the pupil's general file
- refers cases of suspected abuse to MASH or police as appropriate
- ensures that when a pupil leaves the school, their child protection file is passed to the new school (separately from the main pupil file and ensuring secure transit) and confirmation of receipt is obtained
- attends and/or contributes to child protection conferences
- coordinates the school's contribution to child protection plans
- develops effective links with relevant statutory and voluntary agencies including the DCFP
- ensures that the child protection policy and procedures are reviewed and updated annually, liaising with the nominated governor and Headteacher (where the DSL role is not carried out by the Headteacher) as appropriate
- makes the child protection policy available publicly, on the school's website or by other means.

### **The Deputy Designated Safeguarding Lead(s):**

Are trained to the same level as the DSL and, in the absence of the DSL, carry out those functions necessary to ensure the ongoing safety and protection of pupils. In the event of the long-term absence of the DSL, the deputy will assume all of the functions above.

## **All School Staff**

- Understand that it is everyone's responsibility to safeguard and promote the welfare of children and that they have a role to play in identifying concerns, sharing information and taking prompt action;
- Consider, at all times, what is in the best interests of the child;
- Know how to respond to a pupil who discloses abuse.
- Will refer any safeguarding or child protection concerns to the DSL or if necessary where the child is at immediate risk to the police or MASH;
- Are aware of the Early Help process and understand their role within it including identifying emerging problems for children who may benefit from an offer of Early Help, liaising with the DSL in the first instance and supporting other agencies and professionals in an early help assessment through information sharing. In some cases staff may act as the Lead Professional in Early Help Cases.
- Will provide a safe environment in which children can learn.

## **Good practice guidelines and safer working practice**

Good practice includes:

- treating all pupils with respect
- setting a good example by conducting ourselves appropriately
- involving pupils in decisions that affect them
- encouraging positive, respectful and safe behaviour among pupils
- being a good listener
- being alert to changes in pupils' behaviour and to signs of abuse, neglect and exploitation
- recognising that challenging behaviour may be an indicator of abuse
- reading and understanding the school's child protection policy, Safer Working Practice guidance and guidance documents on wider safeguarding issues
- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse
- referring all concerns about a pupil's safety and welfare to the DSL, or, if necessary directly to police or MASH (Devon); or the Somerset children's Safeguarding board, (Somerset)

## **Abuse of position of trust**

All school staff are aware that inappropriate behaviour towards pupils is unacceptable and that their conduct towards pupils must be beyond reproach.

Staff understand that under the Sexual Offences Act 2003 it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the school staff and a pupil under 18 may be a criminal offence.

Each school's Safer Working Practice guidance sets out our expectations of staff and are signed by all staff members.

## **Children who may be particularly vulnerable**

Some children may have an increased risk of abuse. Many factors can contribute to an increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some adults to accept that abuse can occur. To ensure that all of our pupils receive equal protection, we will give special consideration to children who are:

- disabled or have special educational needs
- young carers
- affected by parental substance misuse, domestic violence or parental mental health needs
- asylum seekers
- living away from home
- vulnerable to being bullied, or engaging in bullying
- living in temporary accommodation
- living transient lifestyles
- living in chaotic and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality
- at risk of sexual exploitation
- do not have English as a first language
- at risk of female genital mutilation (FGM)
- at risk of forced marriage
- at risk of being drawn into extremism.

This list provides examples of additionally vulnerable groups and is not exhaustive. Special consideration includes the provision of safeguarding information and resources in community languages and accessible formats for children with communication needs.

## **Children missing education**

Attendance, absence and exclusions are closely monitored. A child going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation. The DSLs will monitor unauthorised absence and take appropriate action including notifying the local authority, particularly where children go missing on repeated occasions and/or are missing for periods during the school day. Staff must be alert to signs of children at risk of travelling to conflict zones, female genital mutilation and forced marriage.

## **Whistle blowing if you have concerns about a colleague**

Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. The schools' whistleblowing code enables staff to raise concerns or allegations, initially in confidence, and for a sensitive enquiry to take place.

All concerns of poor practice or possible child abuse by colleagues should be reported to the Headteacher. Complaints about the Headteacher should be reported to the chair of the Trust or the chair of the school's LGB.

Staff may also report their concerns directly to children's social care via Devon MASH or the police if they believe direct reporting is necessary to secure action.

## **Allegations against staff**

When an allegation is made against a member of staff, our set procedures must be followed. The full procedures for dealing with allegations against staff can be found in Keeping Children Safe in Education (DfE, 2018) and in the schools' Conduct Policy and procedures.

Allegations concerning staff who no longer work at a school within the Trust, or historical allegations, will be reported to the police.

## **Staff training**

It is important that all staff receive training to enable them to recognise the possible signs of abuse, neglect and exploitation and to know what to do if they have a concern.

New staff, student teachers and governors will receive a briefing at the beginning of their induction, which includes the schools' Child Protection Policy and Safer Working Practice guidance, reporting and recording arrangements, and details for the DSL. All staff, including the DSL, Headteacher, directors and governors will receive training that is regularly updated. All staff will also receive safeguarding and child protection updates via email, e-bulletins, website access and staff meetings throughout the year.

## **Safer recruitment**

Our schools comply with the requirements of Keeping Children Safe in Education (DfE 2018) and the DCFP by carrying out the required checks and verifying the applicant's identity, qualifications and work history.

At least one member of each recruitment panel will have attended recent safer recruitment training.

All relevant staff are made aware of the disqualification legislation and their obligations to disclose relevant information to the school.

The schools obtain written confirmation from supply agencies or third party organisations that agency staff or other individuals who may work in the school have been appropriately checked.

Trainee teachers will be checked either by the school or by the training provider, from whom written confirmation will be obtained.

The schools maintain a single central record of recruitment checks undertaken. All employees of the school will wear visible photo ID at all times.

## **Volunteers**

Volunteers, including directors and governors will undergo checks commensurate with their work in the school, their contact with pupils and the supervision provided to them. Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised.

## **Contractors**

The schools check the identity of all contractors working on site and requests DBS with barred list checks where required by statutory guidance. Contractors who have not undergone checks will not be allowed to work unsupervised during the school day.

## **Site security**

Visitors to the schools, including contractors, are asked to sign in and are given a badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in provided they remain supervised in Reception. All visitors are expected to observe the schools' safeguarding and health and safety regulations. The Headteachers will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site.

## **Extended school and off-site arrangements**

All extended and off site activities are subject to a risk assessment to satisfy health and safety and safeguarding requirements. Where extended school activities are provided by and managed by the schools, their own child protection policy and procedures apply. If other organisations provide services or activities on our site on behalf of our schools we will check that they have appropriate procedures in place, including safer recruitment procedures.

When our pupils attend off-site activities, including day and residential visits and work related activities, we will check that effective child protection arrangements are in place.

## **Staff/pupil online relationships**

The schools provide advice to staff regarding their personal online activity and has strict rules regarding online contact and electronic communication with pupils. This information can be found in the Trust's policy "Safer Working Practice". Staff found to be in breach of these rules may be subject to disciplinary action or child protection investigation.

## **Child protection procedures**

### **Recognising abuse**

To ensure that our pupils are protected from harm, we need to understand what types of behaviour constitute abuse and neglect.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child by inflicting harm, for example by hitting them, or by failing to act to prevent harm, for example by leaving a small child home alone.

Abuse may be committed by adult men or women and by other children and young people.

Keeping Children Safe in Education (DfE 2018) contains detailed information about the four categories of abuse. These are set out at Appendix One of KCSiE. All staff have been issued with a copy of KCSiE and provided with training.

## **Bullying**

While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause anxiety and distress. All incidences of bullying, including cyber-bullying and prejudice-based bullying should be reported and will be managed through tackling-bullying procedures which can be accessed on each school's website in the Behaviour Policy and the Anti Bullying Policy.

## **Operation Encompass**

We are Operation Encompass Schools, liaising closely with the police and other services to support children and young people exposed to domestic abuse. Operation Encompass involves the reporting to schools before the start of the next school day when a child or young person has been involved or exposed to a domestic abuse incident the previous evening. The information is given in strict confidence to the school's DSL to enable support to be given dependent on the needs and wishes of the child.

## **Taking action**

**Any child, in any family in any school could become a victim of abuse. Staff should always maintain an attitude of "it could happen here".** Key points for staff to remember for taking action are:

- in an emergency take the action necessary to help the child, if necessary call 999
- report your concern as soon as possible to the DSL, definitely by the end of the day
- do not start your own investigation
- share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family
- complete a record of concern or keep a written record of any incident which as well as relevant information also includes the date and time of any incident
- seek support for yourself if you are distressed.

## **Making a referral**

- Concerns about a child or a disclosure should be immediately raised with the DSL who will decide whether a referral to children's MASH.
- If a referral is needed then the DSL should make this rapidly. However, anyone can make a referral and if for any reason a staff member thinks a referral is appropriate and one hasn't been made they can and should consider making a referral themselves.
- The child (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child.
- If after a referral the child's situation does not appear to be improving the designated safeguarding lead (or the person that made the referral) should press for re-consideration to ensure their concerns have been addressed.
- If a child is in immediate danger or is at risk of harm a referral should be made to MASH and/or the police immediately. Anybody can make a referral.
- Where referrals are not made by the DSL, the DSL should be informed as soon as possible.

## Supporting Staff

- We recognise that staff working in the schools who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting.
- We will support such staff by providing an opportunity to talk through their anxieties with the DSLs and to seek further support as appropriate.

## If a pupil discloses to you

It takes a lot of courage for a child to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual; their abuser may have threatened what will happen if they tell; they may have lost all trust in adults; or they may believe, or have been told, that the abuse is their own fault. Sometimes they may not be aware that what is happening is abusive.

If a pupil talks to a member of staff about any risks to their safety or wellbeing, **the staff member will let the pupil know that in order to help them they must pass the information on to the DSL.** The point at which they tell the pupil this is a matter for professional judgement. During their conversations with the pupil staff will:

- allow them to speak freely
- remain calm and not overreact
- give reassuring nods or words of comfort – ‘I’m so sorry this has happened’, ‘I want to help’, ‘This isn’t your fault’, ‘You are doing the right thing in talking to me’
- not be afraid of silences
- **under no circumstances** ask investigative questions – such as how many times this has happened, whether it happens to siblings, or what does the pupil’s mother think about it
- at an appropriate time tell the pupil that in order to help them, the member of staff must pass the information on and explain to whom and why
- not automatically offer any physical touch as comfort
- avoid admonishing the child for not disclosing earlier. Saying things such as ‘I do wish you had told me about this when it started’ may be interpreted by the child to mean that they have done something wrong
- tell the pupil what will happen next
- report verbally to the DSL even if the child has promised to do it by themselves
- complete a written report about the incident and hand it to the DSL as soon as possible
- seek support if they feel distressed.

## Notifying parents

The schools will normally seek to discuss any concerns about a pupil with their parents. This must be handled sensitively and the DSL will make contact with the parent in the event of a concern, suspicion or disclosure.

Our focus is the safety and wellbeing of the pupil. Therefore, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will first be sought from MASH and/or the police before parents are contacted.

Where there are concerns about forced marriage or honour based violence parents should not be informed a referral is being made as to do so may place the child at a significantly increased risk.

## Confidentiality and sharing information

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil and staff involved but also to ensure that information being released into the public domain does not compromise evidence.

Staff should only discuss concerns with the DSL, Headteacher or chair of the Trust or chair of the LGB, depending on who is the subject of the concern. That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

However, following a number of cases where senior leaders in schools had failed to act upon concerns raised by staff, Keeping Children Safe in Education (2018) emphasises that **any** member of staff can contact children's social care if they are concerned about a child.

Child protection information will be stored and handled in line with the Data Protection Act 1998.

Information sharing is guided by the following principles. The information is:

- necessary and proportionate
- relevant
- adequate
- accurate
- timely
- secure.

Information sharing decisions will be recorded, whether or not the decision is taken to share. Any information that is stored electronically will be password protected and only made available to relevant individuals. Child protection information will be stored separately from the pupil's school file. The DSL will normally obtain consent from the pupil and/or parents to share sensitive information within the school or with outside agencies. Where there is good reason to do so, the DSL may share information without consent, and will record the reason for not obtaining consent.

Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the Headteacher or DSL.

The Data Protection Act does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

The schools' Data Protection Policy is available to parents and pupils on request.

## Enquiry to MASH

The DSL will make an enquiry to MASH if it is believed that a pupil is suffering or is at risk of suffering significant harm. The pupil (subject to their age and understanding) and the parents will be told that an enquiry is being made, unless to do so would increase the risk to the child.

Any member of staff may make a direct enquiry to MASH at any point.

Staff must make a MASH referral themselves if:

- the situation is an emergency and the designated safeguarding lead, their deputy, the Headteacher and the chair of the Trust and chair of the LGB are all unavailable
- they are convinced that a direct report is the only way to ensure the pupil's safety
- for any other reason they make a judgement that direct referral is in the best interests of the child.

Some children may also find it harder to disclose abuse due to communication barriers, lack of access to a trusted adult or not being aware that what they are experiencing is abuse.

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

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- Is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child.

## **Online Safety**

Our pupils increasingly use electronic equipment on a daily basis to access the internet and share content and images via social media sites such as Facebook, twitter, Instagram, Snapchat and ooVoo.

Unfortunately, some adults and other children use these technologies to harm children. The harm might range from sending hurtful or abusive texts or emails, to grooming and enticing children to engage in sexual behaviour such as webcam photography or face-to-face meetings. Pupils may also be distressed or harmed by accessing inappropriate material such as pornographic websites or those which promote extremist behaviour, criminal activity, suicide or eating disorders

The Trust has an E safety policy which explains how we try to keep pupils safe in schools and how we respond to online safety incidents.

Pupils are taught about online safety throughout the curriculum and all staff receive online safety training which is regularly updated. The Uffculme School's online safety co-ordinators are Alan Blackburn and Chris Lepper, and Uffculme Primary School's is Jo Dentith.

## **Child on Child Sexual violence and sexual harassment**

The DSL, LGB, Trust Board and Headteacher will take due regard to Section 5, KCSiE 2018

In most instances, the conduct of pupils towards each other will be covered by our behaviour policies. However, some allegations may be of such a serious nature that they may raise safeguarding concerns. The Trust recognises that children are capable of abusing their peers. It will not be passed off as 'banter' or 'part of growing up'. The forms of peer on peer abuse are outlined below.

- Domestic abuse – an incident or pattern of actual or threatened acts of physical, sexual, financial and/or emotional abuse, perpetrated by an adolescent against a current or former dating partner regardless of gender or sexuality.
- Child Sexual Exploitation – children under the age of 18 may be sexually abused in the context of exploitative relationships, contexts and situations by peers who are also under 18.
- Harmful Sexual Behaviour – children and young people presenting with sexual behaviours that are outside of developmentally 'normative' parameters and harmful to themselves and others.
- Serious Youth Violence – any offence of most serious violence or weapon enabled crime, where the victim is aged 1-19' i.e. murder, manslaughter, rape, wounding with intent and causing grievous bodily harm. 'Youth violence' is defined in the same way, but also includes assault with injury offences.

The term peer-on-peer abuse can refer to all of these definitions and a child may experience one or multiple facets of abuse at any one time. Therefore, our response will cut across these definitions and capture the complex web of their experiences.

There are also different gender issues that can be prevalent when dealing with peer on peer abuse (i.e. girls being sexually touched/assaulted or boys being subjected to initiation/hazing type violence).

The Trust aims to reduce the likelihood of peer on peer abuse through;

- the established ethos of respect, friendship, courtesy and kindness;
- high expectations of behaviour;
- clear consequences for unacceptable behaviour;
- providing a developmentally appropriate PSHE curriculum which develops pupils' understanding of healthy relationships, acceptable behaviour, consent and keeping themselves safe;
- systems for any pupil to raise concerns with staff, knowing that they will be listened to, valued and believed;
- robust risk assessments and providing targeted work for pupils identified as being a potential risk to other pupils and those identified as being at risk.

Research indicates that young people rarely disclose peer on peer abuse and that if they do, it is likely to be to their friends. Therefore, schools within the Trust will also educate pupils in how to support their friends if they are concerned about them, that they should talk to a trusted adult in the school and what services they can contact for further advice.

Any concerns, disclosures or allegations of peer on peer abuse in any form should be referred to the DSL using The Trust's child protection procedures as set out in this policy. Where a concern regarding peer on peer abuse has been disclosed to the DSL(s), advice and guidance will be sought from MASH and where it is clear a crime has been committed or there is a risk of crime being committed the Police will be contacted.

Working with external agencies the schools will respond to the unacceptable behaviour. If a pupil's behaviour negatively impacts on the safety and welfare of other pupils then safeguards will be put in place to promote the well-being of the pupils affected and the victim and perpetrator will be provided with support.

## **Anti-Bullying/Cyberbullying**

Our schools' policies on anti-bullying are set out in separate documents and acknowledge that to allow or condone bullying may lead to consideration under child protection procedures. This includes all forms e.g. cyber, racist, homophobic and gender related bullying. Each school keeps a record of known bullying incidents which is shared with and analysed by the local governing body. All staff are aware that children with SEND and/or differences/perceived differences are more susceptible to being bullied/victims of child abuse.

If the bullying is particularly serious, or the anti-bullying procedures are seen to be ineffective, the headteacher and the DSL will consider implementing child protection procedures.

The subject of bullying is addressed at regular intervals in PHSE education.

## **Children with sexually harmful behaviour**

Children may be harmed by other children or young people. Staff will be aware of the harm caused by bullying and will use the school's anti-bullying procedures where necessary. However, there will be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures.

Young people who display such behaviour may be victims of abuse themselves and the child protection procedures will be followed for both victim and perpetrator. Staff who become concerned about a pupil's sexual behaviour, including any known online sexual behaviour, should speak to the DSL as soon as possible.

## **Sexual exploitation of children**

Sexual exploitation involves an individual or group of adults taking advantage of the vulnerability of an individual or groups of children or young people, and victims can be boys or girls. Children and young people are often unwittingly drawn into sexual exploitation through the offer of friendship and care, gifts, drugs and alcohol, and sometimes accommodation. Sexual exploitation is a serious crime and can have a long-lasting adverse impact on a child's physical and emotional health. It may also be linked to child trafficking.

The schools include the risks of sexual exploitation in the PSHE and SRE curriculum. A common feature of sexual exploitation is that the child often doesn't recognise the coercive nature of the relationship and doesn't see themselves as a victim. The child may initially resent what they perceive as interference by staff, but staff must act on their concerns, as they would for any other type of abuse.

All staff are made aware of the indicators of sexual exploitation and all concerns are reported immediately to the DSL.

## **Sexting**

Sexting is when young people create and share sexualised images. Young people who share sexual imagery of themselves or peers are breaking the law. The law states that any person who makes, possesses or distributes an image which is "indecent" has committed an offence. Case law has defined "indecent" if it contains imagery of a naked young person, a topless girl and or displays genitals or sex acts. It may also include overtly sexual images of young people in their underwear. The schools recognise that education plays a crucial role in helping young people understand the risks which sexting poses.

Following DFE guidance the schools' approach is that:

- all cases of sexting should be referred to the DSL
- the parents of the young people involved will be informed
- during any investigation into an allegation of sexting members of staff should not view the content of any sexually explicit images themselves. An image should only ever be viewed if the DSL deems it to be necessary as a part of the investigation and if the DSL is present when the image is viewed
- following an investigation if the DSL decides that it is in everyone's best interest to delete the image and the young person cannot do this without help, should the assistance of an IT technician be required then the DSL should be present when the image is removed
- the DSL will consider whether any instance of sexting needs to be referred to the police.

## **Honour-Based Violence**

'Honour-based' violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of HBV are abuse.

FGM is the collective name given to a range of procedures involving the partial or total removal of external female genitalia for non-medical reasons. In England, Wales and Northern Ireland, the practice is a criminal offence under the Female Genital Mutilation Act 2003. The practice can cause intense pain and distress and long-term health consequences, including difficulties in childbirth.

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators. Many such procedures are carried out abroad and staff should be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer holiday period.

A forced marriage is a marriage in which a female (and sometimes a male) does not consent to the marriage but is coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse. In England and Wales the practice is a criminal offence under the Anti-Social Behaviour, Crime and Policing Act 2014.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, which is common in several cultures, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

Children may be married at a very young age, and well below the age of consent in England. School staff receive training and should be particularly alert to suspicions or concerns raised by a pupil about being taken abroad and not being allowed to return to England.

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

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act (2003). It is a form of child abuse and violence against women. A mandatory reporting duty requires teachers to report 'known' cases of FGM in under 18s, which are identified in the course of their professional work, to the police<sup>1</sup>.

The duty applies to all persons in UAT who are employed or engaged to carry out 'teaching work' in the school, whether or not they have qualified teacher status. The duty applies to the individual who becomes aware of the case to make a report. It should not be transferred to the Designated Safeguarding Lead, however the DSL should be informed.

If a teacher is informed by a girl under 18 that an act of FGM has been carried out on her or a teacher observes physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth, the teacher should personally make a report to the police force in which the girl resides by calling 101. The report should be made by the close of the next working day.

School staff are trained to be aware of risk indicators of FGM which are set out in Appendix 1. Concerns about FGM outside of the mandatory reporting duty should be reported as per the Trust's child protection procedures. Staff should be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer vacation period. There should also be consideration of potential risk to other girls in the family and practicing community.

Where there is a risk to life or likelihood of serious immediate harm the teacher should report the case immediately to the police, including dialling 999 if appropriate.

There are no circumstances in which a teacher or other member of staff should examine a girl.

## **Forced Marriage**

A forced marriage is a marriage in which one or both people do not (or in cases of people with learning disabilities cannot) consent to the marriage but are coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

Forced marriage is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights. Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under the Anti-Social Behaviour, Crime and Policing Act 2014.

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<sup>1</sup> [FGM procedural information](#)

A forced marriage is not the same as an arranged marriage which is common in several cultures. The families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

School staff should never attempt to intervene directly as a school or through a third party. Contact should be made with MASH

## **Radicalisation and Extremism**

The government defines extremism as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

Some children are at risk of being radicalised: adopting beliefs and engaging in activities which are harmful, criminal or dangerous. Islamic extremism is the most widely publicised form and schools should also remain alert to the risk of radicalisation into white supremacy extremism.

School staff receive training to help to identify signs of extremism. Opportunities are provided in the curriculum to enable pupils to discuss issues of religion, ethnicity and culture and the school follows the DfE advice Promoting fundamental British Values as part of SMCS (spiritual, moral, social and cultural education) in Schools (2014).

When any member of staff has concerns that a pupil may be at risk of radicalisation or involvement in terrorism, they should speak with the DSL. They should then follow normal safeguarding procedures. If the matter is urgent then Devon & Cornwall Police must be contacted by dialling 999. In non-urgent cases where police advice is sought then dial 101. The Department of Education has also set up a dedicated telephone helpline for staff and governors to raise concerns around Prevent (020 7340 7264).

## **Private fostering arrangements**

A private fostering arrangement occurs when someone other than a parent or a close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16, or aged under 18 if the child is disabled. By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify children's services as soon as possible.

Where a member of staff becomes aware that a pupil may be in a private fostering arrangement they will raise this with the DSL and the school should notify the local authority of the circumstances.

## **Special Circumstances**

### **Looked after children**

The most common reason for children becoming looked after is as a result of abuse or neglect. The schools ensure that staff have the necessary skills and understanding to keep looked after children safe. Appropriate staff have information about a child's looked after legal status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child. The designated teacher for looked after children and the

DSL have details of the child's social worker and the name and contact details of the local authority's virtual head for children in care.

## **Work Experience**

The schools have detailed procedures to safeguard pupils undertaking work experience, including arrangements for checking people who provide placements and supervise pupils on work experience which are in accordance with the guidance in Keeping Children Safe in Education (2018).

## **Children staying with host families**

The schools may make arrangements for pupils to stay with a host family during a foreign exchange trip. Some overseas pupils may reside with host families during school terms and we will work with the local authority to check that such arrangements are safe and suitable. In such circumstances the schools follows the guidance in Annex E of Keeping Children Safe in Education (2018) to ensure that hosting arrangements are as safe as possible.

## **Children Missing Education**

Attendance, absence and exclusions are closely monitored. The schools will hold more than one emergency contact number for pupils and students where reasonably possible. A child going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation.

The DSL will monitor unauthorised absences and take appropriate action including notifying the local authority particularly where children go missing on repeat occasions and/or are missing for periods during the school day in conjunction with 'Children Missing Education: Statutory Guidance for Local Authorities'<sup>2</sup>.

Staff must be alert to signs of children at risk of travelling to conflict zones, female genital mutilation and forced marriage.

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<sup>2</sup> [CME Statutory Guidance for Local Authorities](#)



**For Early Help, Consultation and Enquiries please contact:**

Telephone: **0345 155 1071**

E-mail: [mashsecure@devon.gcsx.gov.uk](mailto:mashsecure@devon.gcsx.gov.uk)

Fax: 01392 448951

Enquiry Form available at:

[www.devon.gov.uk/mash-enquiryform.doc](http://www.devon.gov.uk/mash-enquiryform.doc)

Post: **Multi-Agency Safeguarding Hub, P.O. Box 723, Exeter EX1 9QS**

**Emergency Duty Team** – out of hours

**0845 6000 388**

**Police** – non emergency – 101

For all **LADO** enquiries Exeter (01392) 384964

Or

<http://www.devon.gov.uk/lado>

## **Early Help Team**

Manager Exeter and South: **Vacant**

Manager Mid & East and North: **Stephen Matthewman**

Early Help Advisers:

North: **Pete Simpson**

[peter.simpson@devon.gcsx.gov.uk](mailto:peter.simpson@devon.gcsx.gov.uk) 07817 124965

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Early Help Assistants:

**Rachel Wright, Karol Stannard, Laura Syree**

0345 155 1071, ask for Early Help [earlyhelpsecure@devon.gov.uk](mailto:earlyhelpsecure@devon.gov.uk)

# Appendix One

(Extracts from Keeping Children Safe in Education 2018, Part 1)

## Indicators of abuse and neglect

All school and college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

**Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others.

Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

**Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

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

place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education (see 'Specific safeguarding issues below).

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## **Specific safeguarding issues**

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

**All** staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment;
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

**All** staff should be clear as to the school's or college's policy and procedures with regards to peer on peer abuse.

Safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside the school or college. All staff, but especially the designated safeguarding lead (and deputies) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse. Additional information regarding contextual safeguarding is available here: [Contextual Safeguarding](#).

## **Child sexual exploitation**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact: it can also occur through the use of technology. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Some of the following signs may be indicators of child sexual exploitation:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who have older boyfriends or girlfriends;
- children who suffer from sexually transmitted infections or become pregnant;
- children who suffer from changes in emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss school or education or do not take part in education.

## **Child criminal exploitation: county lines**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county

lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>3</sup> should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

## **Domestic abuse**

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

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

- psychological;
- physical;
- sexual;
- financial; and
- emotional

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life

## **FGM**

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

## **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

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<sup>3</sup> [national crime agency human-trafficking](#)

health and social care professionals in England and Wales, 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 will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should **not** be examining pupils or students, 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 duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#).

## **Forced marriage**

Forcing a person into a marriage is a crime in England and 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 a 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 (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

## **Preventing radicalisation**

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools’ or colleges’ safeguarding approach.

[Extremism](#)<sup>14</sup> is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. <sup>4</sup>[Radicalisation](#)<sup>15</sup> refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

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) and settings (such as the internet).

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 be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a referral to the Channel programme.

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<sup>4</sup> As defined in the Revised Prevent Duty Guidance for England and Wales.

## The Prevent duty

All schools and colleges are 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<sup>5</sup> to the need to prevent people from being drawn into terrorism”.<sup>6</sup> This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools’ and colleges’ wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised [Prevent duty guidance: for England and Wales](#), especially paragraphs 57-76 which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

## Peer on peer abuse

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

## Sexual violence and sexual harassment between children in schools and colleges

### Context

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also 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. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;

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<sup>5</sup> According to the Prevent duty guidance ‘having due regard’ means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.

<sup>6</sup> “Terrorism” for these purposes has the same meaning as for the Terrorism Act 2000 (section 1(1) to (4) of that Act).

- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

## What is Sexual violence and sexual harassment?

### Sexual violence

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003<sup>7</sup> as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his 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: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his 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: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**What is consent?**<sup>8</sup> 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 s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.<sup>9</sup>

### Sexual harassment

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline. 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

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<sup>7</sup> [Legislation.gov.uk](https://www.legislation.gov.uk)

<sup>8</sup> It is important school and college staff (and especially designated safeguarding leads and their deputies) understand consent. This will be especially important if a child is reporting they have been raped. More information: [here](#)

<sup>9</sup> [PSHE Teaching about consent](#) from the PSHE association provides advice and lesson plans to teach consent at Key stage 3 and 4.

dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

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

- sexual comments, such as: telling sexual 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 (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.<sup>10</sup> It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; and
  - sexual exploitation; coercion and threats

### **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe.

A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out from paragraph 22 in Part 1 of this guidance. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

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<sup>10</sup> [Project deSHAME](#) from Childnet provides useful research, advice and resources regarding online sexual harassment.

## **Appendix Two**

### **Related Safeguarding policies**

- Safer handling
- Behaviour
- Complaints
- Anti bullying
- Safer working practice
- Whistleblowing
- SEN
- Recruitment and selection
- Grievance
- Conduct
- Data Protection Policy
- E-Safety Policy
- Preventing radicalisation.

## **Appendix Three**

### **Arrangements for individual Schools**

#### **(Level 3 Safeguarding trained staff)**

- Mrs Lorraine Heath (Chief Executive Officer)

#### Uffculme School

Designated Safeguarding Lead Uffculme School: Mr Chris Lepper

- Miss Katie Francombe
- Mrs Karina Balado
- Mr Alan Blackburn

#### Uffculme Primary School

Designated Safeguarding Lead: Mrs Jo Dentith

Other staff who are able to deputise for the safeguarding leads include:

- Mrs Ruth Welch
- Mrs Claire Hayman.