

# **Safeguarding and Child Protection Policy**

**Norwich Red Balloon Learner Centre**

**October 2019**

## **Legislation / Guidance that informs this document**

- Children Act (Gov. UK 1989)
- Children Act (Gov. UK 2004)
- General Data Protection Regulation - GDPR (May 2018)
- Human Rights Act (Gov. UK 1998)
- Education Act (Gov. UK 2002)
- Education and Skills Act (Gov. UK 2008)
- Sexual Offences Act (Abuse of Trust) ( Gov. UK 2003)
- Female Genital Mutilation Act (Gov. UK 2003)
- Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers (Gov.UK July 2018)
- Counter-terrorism and Security Act (Gov.UK 2015)
- Keeping Children Safe in Education - KCSiE (Gov.UK Sept 2019 updated October 2019)
- Revised Prevent Duty Advice for Schools (Prevent Duty Guidance: for England and Wales Gov.UK (July 2015)
- Children Missing Education (Gov.UK Sept 2016)
- Teacher misconduct: the prohibition of teachers (Gov.UK October 2015)
- Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (Gov.UK July 2018)

*NB Throughout this policy KCSiE is dated as September 2019, but there has been an update (October 2019) in which paras 164 and 165 have been 'corrected'.*

## **Other Red Balloon policies to be read in conjunction with this one**

- Safe Recruitment
- Whistleblowing
- Esafety
- Attendance
- Dealing with Allegations of Abuse against Staff
- Student Wellbeing and Personal Development
- Behaviour for Learning
- Anti-Bullying
- Staff Code of Conduct
- Data Protection

## **Statement of Intent**

Red Balloon is committed to meeting all legislative requirements with regard to 'keeping children safe' and complying with all relevant guidance and, therefore, to ensuring that all Red Balloon students are safe at all times, both physically and emotionally.

*Red Balloon staff will always consider the 'best interests of the child' in all areas of practice.*

It is our statutory responsibility to safeguard and promote the welfare of children. We work to ensure that the practice of all staff is of the very highest standard, and that, should there be concerns regarding a student's welfare or safety as a result of events in their home or their community, staff feel confident as to how to respond to those concerns.

Further we seek to ensure that no student is exposed to materials or persons that are likely to lead to that young person becoming radicalised. Red Balloon is clear that radical / extreme views may come from a range of sources: staff aim to protect Red Balloon students from any source that encourages extreme views, acts of violence or destruction.

## **Child Protection is the legal responsibility of every individual who works for Red Balloon.**

### **Introduction**

The Red Balloon Charity fully recognises the responsibility it has under section 157/175 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children.

This responsibility is more fully explained in the statutory guidance for schools and colleges Keeping Children Safe in Education, updated September 2019. We will ensure that all staff are made aware of their duties and responsibilities under part one of this document.

Through their day-to-day contact with students and direct work with families all Red Balloon staff have a responsibility to:

- identify concerns early to prevent them from escalating;
- provide a safe environment in which children can learn;
- identify children who may benefit from early help;
- know what to do if a child tells them s/he is being abused or neglected;

- follow the referral process if they have a concern.

This policy sets out how managers at Red Balloon will discharge their statutory responsibilities relating to safeguarding and promoting the welfare of children who are provided for by the charity. The policy applies to all staff, paid and unpaid, working anywhere within the organisation, including trustees. Support staff, housekeeping staff and administrators as well as teachers can be the first point of disclosure for a child.

**There are four main elements to the policy:**

**PREVENTION** through the teaching and pastoral support offered to students and the creation and maintenance of a whole school protective ethos.

**PROCEDURES** for identifying and reporting cases, or suspected cases, of abuse. The definitions of the four categories of abuse are attached (see appendix A).

**SUPPORTING CHILDREN** particularly those who may have been abused or witnessed violence towards others.

#### **PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN**

Processes are followed to ensure that all staff engaged to work for Red Balloon are 'suitable' for the task ie they pose no threat to the welfare, health or safety of young people referred to the organisation.

This policy is available to parents on request and is posted on the charity's website. It is only available in English (language), but should a parent or carer require linguistic support to access the policy, the DSL will liaise with the local authority to ensure appropriate support is made available.

### **1. PREVENTION**

We recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult help to protect children.

The organisation will therefore:

- establish and maintain an environment where children feel safe in both the real and the virtual world - all students are encouraged to talk openly and are listened to;
- ensure children know that there are adults in the organisation that they can approach if they are worried or in difficulty and their concerns will be taken seriously and acted upon as appropriate;

- include in the curriculum activities and opportunities which equip children with the skills they need to stay safe from abuse both in the real and the virtual world;
- ensure all students know who to turn to for help should they need it;
- include in the curriculum material which will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to child care and parenting skills;
- ensure that specific guidance regarding safeguarding, including online safety is included within PSHE (personal, social and health education) and RSE (relationships and sex education ... mandatory from September 2020).

*The teaching of 'online safety' will run throughout the work of all staff through the curriculum offered and advice to and ongoing conversations with students re the best ways to make use of all the benefits of technology without placing themselves at risk of harm.*

### Induction and ongoing training

All staff will be taken through a comprehensive induction process in which safeguarding and child protection is a key element. No member of staff will engage in regulated activity until they have completed this process. As part of that process staff will be required to read, and sign to say that they have read and will implement the requirements of chapter one of Keeping Children Safe in Education, September 2019, together with 'Annex A' of that document, chapter one of Working Together to Safeguard Children, July 2018, What to do if you're worried a child is being abused: Advice for Practitioners, March 2015, together with Red Balloon's Safeguarding and Child Protection, Whistleblowing and Behaviour for Learning Policies and the Staff Code of Conduct.

All staff will complete level one child protection training and Prevent training and will update that training as required. The organisation will ensure that all staff are updated re any changes to required practice (local or national) through electronic updates.

Through appropriate training the organisation will ensure that all staff are aware of the need to recognise when children are in need or at risk, are able to distinguish between the two categories, and understand what course of action should be taken when a child is deemed to come into either category.

### CIN (child in need)

"If staff members have any concerns about a child (as opposed to a child being in immediate danger), they will need to decide what action to take. Where possible, there should be a conversation with the designated safeguarding lead to agree a course of action, although any staff member can make a referral to children's social

care. Other options could include referral to specialist services or early help services and should be made in accordance with the referral threshold set by the Local Safeguarding Children Board”.

### Child at Risk

If a child is deemed to be at risk of *immediate* harm, then the DSL must be notified and s/he must make an immediate referral to social care or to the police: should the DSL not be immediately available, the person aware of the situation must make the referral.

### Keeping Children Safe in Education, September 2019, definitions:

#### A child in need:

“is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989”.

#### Child at Risk:

A child at risk is one who is in immediate danger of harm.

### Keeping Children Safe in Education (September 2019) guidance:

“All staff should be aware of the process for making referrals to children’s social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments”.

There is additional information about children who may especially benefit from early help...

“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 frequently missing/goes missing from care or home;

- is misusing drugs or alcohol;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse; and/or
- has returned home to their family from care”.

Options include:

- managing any support for the child internally via the school or college’s own pastoral support processes;
- an early help assessment;
- a referral for statutory services, for example as the child is in need or suffering or likely to suffer harm.”

### Prevention of Peer on Peer Abuse

We recognise that peer on peer abuse can manifest itself in many ways. This can include, but is not limited to: bullying, cyberbullying, sexual violence, sexual harassment, being coerced to send sexual images (sexting), teenage relationship abuse, upskirting (now a criminal offence... see below), and physical abuse.

**All** forms of peer on peer abuse are unacceptable and will be taken seriously.

The organisation will therefore:

- create a protective ethos in which peer on peer abuse, including sexual violence and sexual harassment will not be tolerated (NB not being tolerated does not imply that perpetrators will be punished or excluded, rather the nil tolerance will be exemplified as described within Red Balloon’s ‘Behaviour for Learning’ policy);
- provide training for staff about recognising and responding to peer on peer abuse, including raising awareness of the gendered nature of peer abuse, with girls more likely to be victims and boys perpetrators;
- ensure that staff do not dismiss instances of peer on peer abuse, including sexual violence and sexual harassment as an inevitable part of growing up;
- include within the curriculum, information and materials that support children in keeping themselves safe from abuse, including abuse from their peers and online;
- provide high quality relationship and sex education (RSE), including teaching about consent;

- ensure that staff members follow the procedures outlined in this policy when they become aware of peer on peer abuse.

Where instances of peer on peer abuse occur, staff will ensure that both the child(ren) seen as victim(s) and those seen as perpetrators receive support. As per Red Balloon's Anti-Bullying and Behaviour for Learning policies, staff will seek to reach mutually beneficial outcomes through conflict resolution procedures enabling all parties to modify their behaviour and to contribute positively to the Red Balloon community.

### Upskirting

Upskirting is a term used to describe the act of taking a sexually intrusive photograph up someone's skirt without their permission. The new law (came into effect April 2019) creates two new offences under the Sexual Offences Act 2003. The new offences apply when:

- without consent, an individual operates equipment or records an image beneath a person's clothing;
- the offender has a motive of either obtaining sexual gratification or causing humiliation, distress or alarm to the victim.

Perpetrators may be imprisoned for two years.

## **2. PROCEDURES**

Red Balloon staff will work with each relevant CADS and follow procedures required by them.

**The organisation has a central group of trustees, the nominated trustee for safeguarding and child protection is:**

Josie Collier [josie.collier@rbl.ac](mailto:josie.collier@rbl.ac)

**The centre's lead for safeguarding and child protection is:**

Angela Hewett (head) - [angela.hewett@rbnorwich.org.uk](mailto:angela.hewett@rbnorwich.org.uk)

**The following members of staff are also trained to designated person standard:**

Linda Clements - [linda.clements@rbnorwich.org.uk](mailto:linda.clements@rbnorwich.org.uk)

Heather Ndaji - [heather.ndaji@rbnorwich.org.uk](mailto:heather.ndaji@rbnorwich.org.uk)



## The nominated trustee for safeguarding and child protection is:

Ingrid Watmough - [ingrid.watmough@rbnorwich.org.uk](mailto:ingrid.watmough@rbnorwich.org.uk)

Central managers of the charity together with local trustee groups will:

- appoint a senior member of staff, from the leadership team of each centre, to the role of Designated Safeguarding Lead (DSL);
- ensure that the DSL takes lead responsibility for safeguarding and child protection... whilst the activities of the DSL can be delegated to appropriately trained deputies, (Designated Personnel, DP), the lead responsibility for child protection remains with the DSL and cannot be delegated;
- ensure that the roles of DSL and DP are explicit in the role holders' job descriptions;
- ensure that the DSL has the appropriate status and authority within the school to carry out the duties of the post;
- give the DSL the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters (see Keeping Children Safe in Education, Sept 2019, Annex B);
- ensure that the DSL and deputies have undertaken the required training and that this training is updated **at least every two years**;
- ensure that in addition to the formal training set out above, the DSL and DPs refresh their knowledge and skills (eg via bulletins, meetings or further reading) **at least annually**;
- ensure that DSLs across all centres have access to peer support;
- ensure that every member of staff, paid or unpaid, and the members of the trustee group know(s) who the designated personnel are and the procedures for passing on concerns - this will be a key element of our induction process;

*(Red Balloon uses the 'My Concern' management information system. All staff will be trained in the use of this system as part of their induction. Staff are required to log a concern immediately. That concern will immediately be flagged up to the centre DSL who will take appropriate action.)*

- ensure that the DSL or DP are available (during school hours, during term-time) to discuss any safeguarding concerns - should there be some unavoidable reason (eg multiple illness) why there is not a trained person on site, staff should contact the head office who will ensure that a person trained to DSL level makes contact with the appropriate member of staff;

- ensure that all staff are aware that they may make direct contact with the appropriate Children's Advice and Duty Service (CADS);
- nominate a trustee for safeguarding and child protection and ensure that person undertakes appropriate training,
- ensure every member of staff and every governor knows:
  - the name of the designated person/s and their role;
  - how to identify the signs of abuse and neglect;
  - how to pass on and record concerns about a student;
  - that they have an individual responsibility to be alert to the signs and indicators of abuse and for referring child protection concerns to the DSL/DP;
  - that they have a responsibility to provide a safe environment in which children can learn;
  - where to find the inter – agency procedures on the relevant CADS website;
  - their role in the early help process;
  - the process for making referrals to children's social care;
  - how to use the 'My Concern' management information system effectively.
- ensure all staff members undergo safeguarding and child protection training at induction (as described on p4 of this policy);
- ensure that staff training is regularly updated and that, in addition to this training, all staff members receive regular safeguarding and child protection updates as required **but at least annually**;
- ensure that all staff, paid and unpaid, recognise their duty and feel able to raise concerns about poor or unsafe practice in regard to children and that such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies (NB staff will be directed to guidance in para 53, section 1 of Keeping Children Safe in Education 2019 should they feel that any concerns they have have not been appropriately responded to...this includes an updated link to an NSPCC helpline);
- ensure staff are aware that they do not need parental / carer permission before making a referral;
- ensure that parents / carers are informed of the responsibility placed on the school and staff in relation to child protection by setting out these duties on the website and informing the parents / carers during initial interviews;
- ensure that this policy is available publicly via the centre website.

*In any situation wherein any student is educated 'off site', the centre and the provider will have clear procedures about managing safeguarding concerns between them. Written confirmation that the alternative provider has carried out appropriate safeguarding checks on individuals working at the establishment will be sought by the centre.*

### Liaison with Other Agencies

As described in Keeping Children Safe in Education, 2019, there are revised requirements for multi-agency working. "Schools and colleges have a pivotal role to play in multi.agency safeguarding arrangements. Governing bodies and proprietors should ensure that the school or college contributes to multi.agency working in line with statutory guidance Working Together to Safeguard Children. It is especially important that schools and colleges understand their role in the new safeguarding partner arrangements."

New safeguarding partners and child death review partner arrangements are to be in place by 29 September 2019. Locally, the three safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for a police area in the local authority area) will make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

The three safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. To fulfil this role they must set out how they will work together and with any relevant agencies. Relevant agencies are those organisations and agencies whose involvement the three safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need. The three safeguarding partners must set out in their published arrangements which organisations and agencies they will be working with and the expectations placed on any agencies and organisations by the new arrangements.

The DSL and safeguarding trustee will ensure that they are fully conversant with with the plans of the new safeguarding partners.

Each centre will:

- work to develop effective links with relevant services to promote the safety and welfare of all students;
- co-operate as required, in line with Working Together to Safeguard Children, July 2018, with key agencies in their enquiries regarding child protection matters including attendance and providing written reports at child protection conferences and core groups;
- notify the relevant Social Care Unit immediately if:

- ❑ it should decide to exclude a student who is subject to a child protection plan (whether fixed term or permanently);
  - ❑ there is an unexplained absence of a student who is subject to a child protection plan;
  - ❑ there is any change in circumstances to a student who is subject to a child protection plan.
- ensure that, when a student who is subject to a child protection plan moves to another provider, information is transferred to the new provider immediately... the DSL will also ensure that all involved agencies and the CADS are informed.

### Record Keeping

Each centre will:

- keep clear, detailed, accurate, written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Social Care immediately...
- these records will be held on the 'My Concern' management information system (purpose built and secure);
- ensure all relevant child protection records are sent to the receiving school or establishment when a student moves schools in accordance with Keeping Children Safe in Education, September 2019, and the 'Education Child Protection Record Keeping Guidance' - the DSL will consider whether it would be appropriate to share information with the new school/college in advance of a child leaving;
- make parents/carers aware that such records exist except where to do so would place the child at risk of harm;
- ensure all actions and decisions are led by what is considered to be in the **best interests of the child**.

### Confidentiality and information sharing

The General Data Protection Regulation, 2018, does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

Each centre will:

- ensure staff and volunteers adhere to confidentiality protocols and that information is shared appropriately;

- ensure staff are aware that they have a professional responsibility to share information with other agencies in order to safeguard children (as set out in Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018);
- ensure that if a member of staff receives a Subject Access Request (under the GDPR 2018) from a student or parent, they will refer the request to the DSL or headteacher;
- ensure staff are clear with children that they cannot promise to keep secrets.

The Designated Safeguarding Lead will:

- disclose information about a student to other members of staff on a 'need to know' basis - parental consent may be required.
- aim to gain consent to share information and be mindful of situations where to do so would place a child at increased risk of harm - information may be shared without consent if a person believes that there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner;
- record when decisions are made to share or withhold information, who information has been shared with and why (see Working Together to Safeguard Children, July 2018);
- seek advice about confidentiality from outside agencies if required (see Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018).

### Communication with Parents/Carers

Each centre will:

- ensure that parents/carers are informed of the responsibility placed on the centre and staff in relation to child protection by setting out its duties on the organisation's website;
- undertake appropriate discussion with parents/carers prior to involvement of another agency, unless the circumstances preclude this action;
- seek advice from Social Care if the centre believes that notifying parents could increase the risk of harm to the child - particular circumstances where parents

**may not** be informed include any disclosure of sexual abuse or physical abuse where the child has an injury;

- record what discussions have taken place with parents or if a decision has been made not to discuss it with parents and record the reasons why - records may subsequently be disclosable to relevant partner agencies if child protection proceedings commence.

### Dealing with Sexual Violence and Sexual Harassment between children

Red Balloon recognises that sexual violence and sexual harassment can occur between two children of any age and sex. Sexual violence may include rape, assault by penetration or sexual assault. Sexual harassment refers to 'unwanted conduct of a sexual nature', such as sexual comments, sexual taunting, upskirting or physical behaviour such as deliberately brushing against someone. Online sexual harassment may include non-consensual sharing of sexual images and videos, sexualised online bullying, unwanted sexual comments and messages, and sexual exploitation, coercion and threats.

Each centre will:

- be clear that sexual violence and sexual harassment will not be tolerated;
- provide training for staff on how to manage a report of sexual violence or sexual harassment;
- make decisions on a case-by-case basis;
- reassure victims that they are being taken seriously, offer appropriate support and take the wishes of the victim into account when making decisions;
- implement measures to keep the victim, alleged perpetrator and, if necessary, other children and staff members, safe;
- record any risk assessments and keep them under review;
- give consideration to the welfare of the victim(s) and perpetrator(s) in these situations;
- liaise closely with external agencies, including police and social care, when required.

Further guidance can be found in Keeping Children Safe in Education - Part Five, September 2019, Sexual violence and sexual harassment between children in schools and colleges, May 2018, and Sexting in schools and colleges: Responding to incidents and safeguarding young people published by the UK Council for Child Internet Safety (UKCCIS).

### 3. SUPPORTING CHILDREN

Red Balloon recognises that **any** child may be subject to abuse and neglect. Red Balloon staff must support all children by:

- providing curricular opportunities to encourage positive self-esteem and self-efficacy;
- creating an ethos that actively promotes a positive, supportive and safe environment and values the whole community;
- applying Red Balloon's Behaviour for Learning policy effectively - staff will agree on a consistent approach, which focuses on the behaviour of the child but does not damage the student's sense of self-worth;
- ensuring that all students know that some behaviours are unacceptable, hence not tolerated, but that they will always be treated respectfully by staff regardless of their behaviour;
- liaising with other agencies that support young people such as Social Care, Child and Adolescent Mental Health Services (CAMH), Sexual Behaviour Services or early help teams;
- developing productive and supportive relationships with parents/carers.

Red Balloon recognises that **any** child may benefit from early help, but staff are encouraged to consider the wider environmental factors present in a child's life which could pose a threat to their welfare or safety (contextual safeguarding). Staff are required to be particularly alert to the potential need for early help for the following 'categories' of young people.

#### Children with Disabilities, Additional Needs or Special Educational Needs

Red Balloon recognises that, statistically, children with additional needs, special educational needs, emotional and behavioural difficulties and disabilities are most vulnerable to abuse. Staff will be encouraged to be particularly aware of the likelihood of abuse in the lives of these children.

As part of the PSHE and RSE curriculum staff will teach children personal safety skills commensurate with their age, ability and needs. Children will be taught personal safety skills such as 'telling' and who to tell, good and bad touches and how

to manage risk. The content of lessons will be shared with parents/carers so that these skills can be supported at home.

### Young Carers

Red Balloon recognises that children who are living in a home environment which requires them to act as a young carer for a family member or a friend who is ill, disabled or misuses drugs or alcohol can increase their vulnerability and that they may need additional support and protection.

Staff will seek to identify young carers and offer additional support internally. They will liaise with external agencies as appropriate and refer to Social Care if such referral appears appropriate / supportive.

### Children at Risk of Criminal Exploitation

Criminal exploitation of children is a form of abuse. It may take many forms, but invariably involves adults or other children encouraging / forcing / bribing children to engage in criminal activity on their behalf eg drug networks or gangs exploit children and young people to carry drugs and money from urban areas to suburban and rural areas. Exploitation can occur even if the activity appears to be consensual.

Staff will be trained to be aware of child criminal exploitation to include developments in 'County Lines' activity, and will follow the procedures outlined in this policy if concerns of criminal exploitation arise.

The DSL will complete the LSCB Child Exploitation Checklist and refer to the Multi-Agency Safeguarding Hub (MASH) if there is a concern that a young person may be at risk of criminal exploitation.

Red Balloon recognises that young people who go missing can be at increased risk of child criminal exploitation and/or trafficking and has procedures in place to ensure appropriate response to children and young people who go missing, particularly on repeat occasions (see below).

### Children Frequently Missing Education

When a child 'goes missing', particularly repeatedly, that should act as a warning sign of a range of safeguarding possibilities including abuse, neglect, child sexual exploitation, child criminal exploitation, mental health problems, risk of substance abuse, risk of travelling to conflict zones, and risk of FGM (female genital mutilation) or forced marriage.



Red Balloon monitors attendance of individual students closely, as outlined in its Attendance Policy, and analyses patterns of absence to aid early identification of concerning patterns of absence.

Red Balloon aims to hold more than one emergency contact for each student to provide additional options to make contact with a responsible adult when a child missing education is identified as a welfare and/or safeguarding concern.

When a child is missing from education, Red Balloon follows Children Missing Education guidance. Centres will inform the Education Welfare Service and Social Care if a missing child is subject to a Child Protection Plan or there have been ongoing concerns.

### Fabricated / Induced Illness (FII)

FII is a rare form of child abuse. It occurs when a parent or carer, usually the child's biological mother, exaggerates or deliberately causes symptoms of illness in the child and understands that it is a form of child abuse. Red Balloon will:

- ensure that the designated safeguarding lead is trained to recognise and respond appropriately should suspicions arise, no matter how far-fetched they appear;
- promote awareness of FII through training and access to resources;
- ensure that the signs and indicators are known and recognised by staff and that unexplained absences are recorded and explored further;
- ensure that, where appropriate, pupils are encouraged to seek help and support about concerns they may have;
- ensure that all staff are aware that any suspicions should be reported to the designated safeguarding lead;
- understand that sharing information with parents or carers may not be appropriate and ensure that decisions of this nature are made by Children's Social Care or the police.

### Children Misusing Drugs or Alcohol

The discovery that a young person is misusing legal or illegal substances or reports of their substance misuse are not necessarily sufficient of itself to initiate child protection proceedings, but the centre will consider such action when there is evidence or reasonable cause to:

- believe the young person's substance misuse may cause him or her to be vulnerable to other abuse such as sexual abuse;
- believe the young person's substance related behaviour is a result of abuse or pressure or incentives from others, particularly adults;

or where:

- the misuse is suspected of being linked to parent/carer substance misuse;

- the misuse indicates an urgent health or safeguarding concern;
- the child is perceived to be at risk of harm through any substance associated criminality.

### Children at Risk of 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.

Sexual exploitation can take many different forms from a seemingly 'consensual' relationship to serious organised crime involving gangs and groups. Potential indicators of sexual exploitation will be addressed within staff training, including raising awareness with staff that some young people who are being sexually exploited do not show any external signs of abuse and may not recognise it as abuse. Staff will follow the procedures outlined in this policy if concerns of child sexual exploitation arise.

The DSL will complete the LSCB Child Exploitation Checklist and refer to the Multi-Agency Safeguarding Hub (MASH) if there is a concern that a young person may be at risk of sexual exploitation.

Young people who go missing can be at increased risk of sexual exploitation, hence the centre has procedures in place (described above) to ensure appropriate response to children and young people who go missing, particularly on repeat occasions.

### Children Living with Substance Misusing Parents/Carers

Misuse of drugs and/or alcohol is strongly associated with significant harm to children, especially when combined with other features such as domestic violence.

Should staff become aware that any of the following factors are present:

- use of the family resources to finance the parent's / parents' dependency, characterised by inadequate food, heat and clothing for the children;
- exposure of the young person to unsuitable caregivers or visitors eg customers or dealers;

- the effects of alcohol on parents/carers leading to an inappropriate display of sexual and/or aggressive behaviour;
- drug and / or alcohol use by parents/carers leading to emotional unavailability, irrational behaviour and reduced parental vigilance;
- disturbed moods on the part of parents/carers as a result of withdrawal symptoms or dependency;
- unsafe storage of drugs and/or alcohol or injecting equipment in the home;
- drugs and/or alcohol having an adverse impact on the growth and development of an unborn child...

then referral will be made to the appropriate LSCB.

### Children Living with Domestic Abuse

Domestic abuse is defined as any incident or pattern of incidents of controlling, coercive or 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. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial and emotional.

Where there is domestic abuse in a family, the children will always be affected; the longer the violence continues, the greater the risk of significant and enduring harm, which they may carry with them into their adult life and relationships. Domestic abuse can also affect children in their personal relationships as well as in the context of home life.

Staff will be trained to be vigilant to signs of domestic abuse and will always refer to appropriate agencies should they consider that there is evidence of such abuse taking place. The DSL will either engage in specific training regarding domestic abuse or ensure another member of staff is appropriately trained.

The centre will vigilantly monitor the welfare of children living in domestic abuse households, offer support to them and contribute to any Multi-Agency Risk Assessment Conference (MARAC) safety plan as required.

### Children at risk of 'Honour- Based' Violence (HBV) including Female Genital Mutilation (FGM) and Forced Marriage

The term 'honour-based' violence encompasses incidents which have been committed to protect or 'defend the honour' of a family and/or community, including breast ironing, female genital mutilation and forced marriage. DSLs will ensure that all staff are made aware of the possible signs and indicators that may alert them to the possibility of HBV through training. Staff are required to treat all forms of HBV as abuse and follow appropriate procedures.

FGM is a procedure involving the partial or total removal of the external female genitalia or other injury to the female genital organs. FGM is illegal in the UK. Where

there is any indication that a child is at risk of FGM, or where FGM is suspected to have been carried out, staff will take action in accordance with the child protection procedures outlined in this policy. Staff will report concerns to the DSL, who will make appropriate and timely referrals to Social Care. In such cases parents will not be informed before advice is sought and the case will still be referred to Social Care even if it is against the student's wishes.

In accordance with the Female Genital Mutilation Act, it is a statutory duty for teachers in England and Wales to report 'known' cases of FGM in children (ie those under the age of 18) to the police. Teachers should still consider and discuss any such case with the DSL and involve Social Care as appropriate, but the teacher will personally report to the police that they believe that an act of FGM has been carried out.

#### Children 'looked after' by the local authority

Red Balloon recognises that looked after children may be more vulnerable to abusive behaviour from others and may have additional needs resulting from their life experiences. Centres will liaise with local authority virtual schools for looked after children and work with local authority staff to ensure children are supported and 'kept safe' wherever possible. Centres will work with carers as they would with all parents to ensure 'wrap around' support.

#### Children who have returned home to their family from care

Red Balloon recognises that a previously looked after child potentially remains vulnerable. The centre will vigilantly monitor the welfare of previously looked after children, keep records and notify Social Care as soon as there is a recurrence of a concern.

#### Children showing signs of Abuse and/or Neglect

Abuse or neglect will almost certainly have an adverse impact on those children who experience it. This may last into adulthood unless there is appropriate intervention and support. School may be the only stable, secure and predictable element in the lives of children at risk. Children who have experienced abuse or neglect may subsequently behave in ways that are challenging and defiant or passive and withdrawn. Red Balloon recognises that children may develop abusive behaviours and that these children may need to be referred on for appropriate support and intervention.

The organisation will provide training for staff to ensure that they have the skills to identify and report cases, or suspected cases, of abuse in accordance with the procedures outlined in this policy. The definitions of the four categories of abuse are given in Appendix A.

#### Children at Risk of Radicalisation

Red Balloon recognises that children may be vulnerable to extremist ideology and radicalisation and that protecting children from this risk forms part of the organisation's safeguarding response.

Red Balloon management will ensure that all DSLs and safeguarding trustees have undertaken Prevent awareness training and that all staff receive training about their Prevent duty.

Through appropriate training we will ensure that staff are alert to changes in children's behavior which could indicate they need help or protection. Concerns that a child is at risk of radicalisation must be referred to the DSL in the usual way. If appropriate, the DSL will make a Channel referral.

Further information is available in The Prevent Duty, Departmental Advice for Schools and Childcare Providers, June 2015, and Revised Prevent Duty Guidance: for England and Wales, July 2015.

#### Privately Fostered Children

Private fostering is when a child under the age of 16 (under 18 if disabled) is provided with care and accommodation for 28 days or more by a person who is not a parent, person with parental responsibility for them or a relative.

The centre (through the DSL) will follow the mandatory duty to inform the local authority of any 'Private Fostering' arrangements.

#### Children who have Family Members in Prison

All centres are committed to supporting children and young people who have a parent or close relative in prison and will work with the family to find the best ways of supporting the child.

Children with family members in prison are usually at significant risk of poverty, stigma, isolation, poor mental health and poor attendance.

The centre will treat information shared by the family in confidence and it will be shared on a 'need to know' basis.

The centre will work with the family and the child to minimise the risk of the child not achieving their full potential.

#### **4. PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN**

The centre will operate safer recruitment practices including ensuring appropriate DBS and reference checks are undertaken according to part three of Keeping Children Safe in Education, September 2019 . Red Balloon has a separate Safe

Recruitment policy that should be read in conjunction with this policy and provides greater detail regarding the organisation's commitment to ensuring that no one working for the organisation poses any threat whatsoever to the welfare of its students.

All interviewing panels will include at least one person who has undertaken up to date safe recruitment training, and all recruitment processes will be overseen by an appropriately trained member of staff.

*The following members of staff have undertaken safer recruitment training:*

- Angela Hewett (headteacher)
- Tony Dunn (trustee)

Any allegation of abuse made against a member of staff will be reported straight away to the headteacher. In cases where the headteacher is the subject of an allegation, it will be reported to the chair of trustees. The centre will subsequently follow the procedures set out in part four of Keeping Children Safe in Education, Sept 2019.

The centre will consult with the 'Local Authority Named Senior Officer' in the event of an allegation being made against a member of staff and adhere to the relevant procedures set out in Keeping Children Safe in Education, Sept 2019.

Independent schools (centres are registered as such) are under a duty to consider making a referral to the TRA (Teaching Regulation Agency) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are: 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or a 'conviction, at any time, for a relevant offence'. If advice is required as to whether an allegation against a teacher is sufficiently serious to warrant referral to the TRA, staff will consult 'Teacher misconduct: the prohibition of teachers (October 2015)' and/or the Teaching Regulation Agency website.

The Local Authority Named Senior Officer will liaise with the Local Authority Designated Officer (LADO) ensuring that all allegations are reported to the LADO within one working day. Following consultation with the LADO, the Local Authority Named Senior Officer will decide on all further action to be taken.

As required by Keeping Children Safe in Education, Sept 2019 if an allegation is made against anyone working at a Red Balloon Centre, every effort will be made to eradicate all unnecessary delays. Centres will not undertake their own investigations of allegations without prior consultation with the LADO(s), or in the most serious cases, the police, so as not to jeopardise statutory investigations. In borderline cases, discussions with the LADO(s) can be held informally and without naming the school or individual.

We will report promptly to the DBS any person (whether employed, contracted, a volunteer or student) whose services we have ceased to use because their practice has met the DBS referral criteria ie they have caused harm or posed a risk of harm to a child.

As detailed in Keeping Children Safe in Education, Sept 2019 'ceasing to use a person's services' includes: dismissal; non-renewal of a fixed-term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering. Those staff compiling reports will seek to include as much evidence about the circumstances of the case as possible. Failure to make a report when required constitutes an offence. 'Compromise agreements' cannot be used to prevent a referral being made to the DBS when it is legally required, nor can an individual's refusal to cooperate with an investigation. Proprietors of independent schools have a legal duty to respond to requests from the DBS for information they hold already, but they do not have to find it from other sources.

The school will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full even when the member of staff is no longer employed at the school and that notification of any concerns is made to the relevant authorities and professional bodies and included in references where applicable.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress. Suspension is neither mandatory, nor automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

It is recognised that a child may make an allegation against an innocent party, possibly because they are too afraid to name the real perpetrator. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen. Although all allegations will be rigorously investigated, and staff may be suspended during those investigations, the principle of innocence until guilt is proven remains paramount.

The centre will ensure that all staff, paid and unpaid, are aware of the need for maintaining appropriate and professional boundaries in their relationships with students and parents/carers as advised within the organisation's Code of Conduct. As part of the induction process, all staff will receive guidance about how to create appropriate professional boundaries (in both the real and virtual world) with all children.

The DSL will ensure that staff and volunteers are aware that sexual relationships with students aged under 18 are unlawful and could result in legal proceedings being taken against them under the Sexual Offences Act 2003 (Abuse of Position of Trust).

The DSL and safeguarding trustee will further ensure that all communication between students and adults, by whatever method, is transparent, takes place within clear and explicit professional boundaries and is open to scrutiny.

### TRUSTEE CHILD PROTECTION RESPONSIBILITIES

Centre trustees fully recognise their responsibilities with regard to child protection and safeguarding and promoting the welfare of children. They work jointly with the DSL through the nominated trustee to ensure that the policies, procedures and training in the centre are effective and comply with the law and government guidance at all times.

In meeting their responsibilities / legal duties they will:

- nominate a governor for safeguarding and child protection who will take leadership responsibility for the centre’s safeguarding arrangements and practice and champion child protection issues;
- ensure an annual report is made to the full governing body (and copied to the appropriate Education Child Protection Service where that is required) - any identified weaknesses / shortcomings identified through scrutiny of this report will be rectified without delay;
- ensure that this Safeguarding and Child Protection policy is annually reviewed and updated, shared with staff and available on the centre website;
- check that children’s exposure to potential risks while using the internet is limited by having in place age appropriate filtering and monitoring systems;
- ensure children’s wishes and feelings are taken into account where there are safeguarding concerns.

*Policy prepared by Bob Sproson, Director of Education September 2019 (updated October 2019)... further updated Dec 2019 following advice from ISI.*

This policy was ratified by the full trustee group on

.....

and will be reviewed in Sept 2020

.....



Signed by (date must be added):

Headteacher

.....

Chair of trustees

.....

Designated Safeguarding Lead

.....

## Appendix A

### Four categories of abuse

**Physical Abuse** - 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.

**Neglect** - is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

It may occur during pregnancy as a result of maternal substance misuse.

It may involve the neglect of or lack of responsiveness to a child's basic emotional needs.

It also includes parents or carers 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;
- ensure access to appropriate medical care or treatment.

**Emotional Abuse** - is persistent emotional maltreatment so as to cause severe and adverse effects on a child's emotional development.

It may involve conveying to a child that they are:

- worthless,
- unloved,
- inadequate,
- valued only insofar as they meet another person's needs.

It may include:

- not giving the child opportunities to express their views;
- deliberately silencing them;
- 'making fun' of what they say or how they communicate.

It may also feature age or developmentally inappropriate expectations being imposed on children including:

- interactions that are beyond the child's developmental capability;
- overprotection and limitation of exploration and learning;
- preventing participation in normal social interaction.

It may involve:

- seeing or hearing the ill-treatment of another;
- serious bullying (including cyberbullying) causing children frequently to feel frightened or in danger;
- the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment 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.

This may involve:

- physical contact including assault by penetration (eg rape or oral sex);
- non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing;
- non-contact activities involving:
  - children in looking at, or in the production of, sexual images,
  - children in watching sexual activities,
  - encouraging children to behave in sexually inappropriate ways,
  - grooming a child in preparation for abuse (including via the internet).

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

## **Appendix B**

### **Contact details for Safeguarding Referrals**

**To raise a concern contact**

**Children's Advice and Duty Service (CADs): 0344 800 8021 (for professionals)**

**Children's Advice and Duty Service (CADs): 0344 800 8020 (for members of the public)**

**Contact with the LADO (for concerns about an adult working with children)  
[LADO@Norfolk.co.uk](mailto:LADO@Norfolk.co.uk) (through referral form) or by post to LADO Service,  
Children's Services 1 Norwich Business Park, Whiting Rd, Norwich NR4 6DJ**

**Tel 01603 223472**

## **Appendix C**

### **Relevant Documents**

“Disqualification under the Childcare Act 2006: statutory guidance for local authorities, maintained schools, academies and free schools” (July 2018)

“Guidance for Safer Working Practice for those working with children and young people in education settings” (October 2015)

“Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers” (July 2018)

“Keeping Children Safe in Education: Statutory guidance for schools and colleges” (Oct 2019)

“The Prevent Duty, Departmental advice for schools and childcare providers” (June 2015)

“Revised Prevent Duty Guidance: for England and Wales” (July 2015)

“Sexting in Schools and Colleges: Responding to incidents and safeguarding young people” published by the UK Council for Child Internet Safety (UKCCIS) – (September 2016)

“Sexual violence and sexual harassment between children in schools and colleges” (May 2018)

“What to do if you’re worried a child is being abused: Advice for practitioners” (March, 2015)

“Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children” (July 2018)

## Appendix D

### Main responsibilities of the DSL (designated safeguarding lead person):

#### Manage referrals

The designated safeguarding lead is expected to:

- refer cases of suspected abuse to the local authority children's social care as required;
- support staff who make referrals to local authority children's social care;
- refer cases to the Channel programme where there is a radicalisation concern as required;
- support staff who make referrals to the Channel programme;
- refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required;
- refer cases where a crime may have been committed to the police as required.

#### Work with others:

The designated safeguarding lead is expected to:

- liaise with the headteacher and/or safeguarding trustee to inform her/him of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- as required, liaise with the "case manager" (as per part four KCSiE) and the designated officer(s) at the local authority for child protection concerns (all cases which concern a staff member);
- liaise with staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
- act as a source of support, advice and expertise for staff.

#### Training requirements:

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training must be updated at least every two years.

The designated safeguarding lead must also undertake Prevent awareness training.

In addition to this formal training, their knowledge and skills should be refreshed (this might be via ebulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, but at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments;
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and are able to attend and contribute to these effectively when required to do so;
- ensure each member of staff has access to and understands the organisation's child protection policy and procedures, especially new and part time staff;
- are alert to the specific needs of children in need, those with special educational needs and young carers;
- are able to keep detailed, accurate, secure written records of concerns and referrals;
- understand and support the organisation with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- obtain access to resources and attend any relevant or refresher training courses;
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff.

### Raise Awareness

The designated safeguarding lead should:

- ensure the organisation's child protection policies are known, understood and appropriately implemented;
- ensure the organisation's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with trustees and the overarching person for safeguarding within the organisation regarding this;
- ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school or college in this;
- liaise with the local LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.

### Child protection files

Where children leave the centre, ensure their child protection file / records is / are transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained.

### On-line safety

The DSL should work with staff to ensure students are 'safe' online. This will include training all staff in esafety (the centre also has an esafety policy), working with students and parents / carers to raise awareness and working with technical support staff to ensure that access to inappropriate sites through use of firewalls / filters etc is reduced to the minimum possible level.

### Availability

During term time the designated safeguarding lead (or a deputy) should always be available (during school or college hours) for staff to discuss any safeguarding concerns. Whilst generally speaking the designated safeguarding lead (or deputy) is expected to be available in person, if that is not possible, the central office must be notified and arrangements made for either the organisation's safeguarding lead person or the deputy to be available for staff to contact by telephone.

The designated safeguarding must arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

### My Concern

The DSL must ensure that all staff are trained to use the My Concern system.