




CHILD PROTECTION POLICY

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Authorised By	
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Aim of Policy

- ✓ To inform staff, parents/carers and volunteers about Northampton ESCO's responsibilities for safeguarding children.
- ✓ To enable everyone to have a clear understanding of how these responsibilities should be carried out.
- ✓ To ensure that appropriate action is taken in a timely manner to safeguard and promote children's welfare.

Definitions

Safeguarding and promoting the welfare of children is defined as:

- ✓ Protecting children from maltreatment;
- ✓ Preventing impairment of children's health or development;
- ✓ Ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- ✓ Acting to enable all children to have the best outcomes.

Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

Abuse is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm. *Appendix 4 explains the different types of abuse.*

Neglect is a form of abuse and 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. *Appendix 4 defines neglect in more detail.*

Children includes everyone under the age of 18.

(Keeping Children Safe in Education DfE, September 2018)



Legislation and Statutory Guidance

This policy is based on the Department for Education's statutory guidance; '**Keeping Children Safe in Education 2018**' and '**Working Together to Safeguard Children 2018**', and the **Governance Handbook**.

This policy is also based on the following legislation and statutory guidance:

- ✓ **The Children Act 1989 and The Children Act 2004 amendment** - Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.
- ✓ Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the **Serious Crime Act 2015**, which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18.
- ✓ **Statutory guidance on FGM**, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM.
- ✓ **The Rehabilitation of Offenders Act 1974**, which outlines when people with criminal convictions can work with children.
- ✓ Schedule 4 of the **Safeguarding Vulnerable Groups Act 2006**, which defines what 'regulated activity' is in relation to children.
- ✓ Statutory guidance on the Prevent duty, which explains schools' duties under the **Counter-Terrorism and Security Act 2015** with respect to protecting people from the risk of radicalisation and extremism.
- ✓ Section 175 of the **Education Act 2002**, which places a duty on schools and local authorities to safeguard and promote the welfare of pupils.
- ✓ The **School Staffing (England) Regulations 2009**, which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques.
- ✓ Sexual Offences Act (2003).



- ✓ Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school (academies, including free schools, and independent schools).
- ✓ Part 1 of the schedule to the Non-Maintained Special Schools (England) Regulations 2015, which places a duty on non-maintained special schools to safeguard and promote the welfare of pupils at the school (non-maintained special schools).
- ✓ The Childcare (Disqualification) Regulations 2009 (and 2018 amendment) and Childcare Act 2006, which set out who is disqualified from working with children (all schools with pupils aged under 8).
- ✓ This policy also meets requirements relating to safeguarding and welfare in the statutory framework for the Early Years Foundation Stage (all early years' providers).

This policy forms part of a suite of documents and policies which relate to the safeguarding responsibilities of Northampton ESCO. Northampton ESCO complies with this guidance and the procedures set out by Northamptonshire Safeguarding Children Board.

In particular, this policy should be read in conjunction with the schools':-

- ✓ Safer Recruitment Policy,
- ✓ Behaviour Policy,
- ✓ Physical Handling Policy,
- ✓ Anti-Bullying Policy,
- ✓ Code of Conduct/Staff Behaviour Policy,
- ✓ Online Safety Policy and ICT Acceptable Usage Policy.

Equality Statement

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- ✓ have special educational needs or disabilities;
- ✓ are young carers;



- ✓ may experience discrimination due to their race, ethnicity, religion, gender identification or sexuality;
- ✓ have English as an additional language;
- ✓ are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence;
- ✓ are at risk of FGM, sexual exploitation, forced marriage, or radicalisation;
- ✓ are asylum seekers.

Roles and Responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff and is consistent with the procedures of Northamptonshire Safeguarding Children Board.

All Staff

All staff will read and understand [Part 1 and Annex A KCSIE 2018](#) of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education 2018](#), and review this guidance at least annually.

All staff will be aware of:

- ✓ Our systems which support safeguarding, including the staff code of conduct, the role of the designated safeguarding lead (DSL) and the behaviour policy.
- ✓ The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play.
- ✓ What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals.
- ✓ The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM and radicalisation. **Appendix 5.**
- ✓ Please refer to the NSCB website for specific guidance on identification of neglect [NSCB Neglect Toolkit](#) including roles and responsibilities for interventions.



- ✓ Please use the full suite of documents and guidance contained within the NSCB webpages - including the Neglect Screening Tool – [Neglect Screening Tool](#)

Designated Safeguarding Lead (DSL)

Our DSL is Melanie Smith.

The DSL takes lead responsibility for child protection and wider safeguarding.

The DSL will be available during holiday club hours for staff to discuss any safeguarding concerns.

The DSL's contact details are below.

msmith@northamptonesco.co.uk

07917535762

When the DSL is absent, Catherine Cooke (07443 452348), will act as cover.

The DSL is responsible for the implementation of this policy, including:

- ✓ ensuring that all staff and volunteers are informed of this policy as part of their induction;
- ✓ communicating this policy to parents via the website;
- ✓ ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly;
- ✓ acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3); and
- ✓ ensuring the relevant staffing ratios are met, where applicable. (Early years providers and primary schools.)

WHEN TO BE CONCERNED

Children Who May Require Early Help

All staff should be aware of the **early help process**, and understand their role in identifying emerging problems, sharing information with other professionals to support early identification and assessment of a child's needs. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. This also includes staff monitoring the situation and feeding back to the Designated Safeguarding Lead any ongoing/escalating concerns so that consideration can be given to a referral to Children's Services if the child's situation does not appear to be improving.



Early Help Links:

- ✓ Follow this link: [Early Help](#) to access Northamptonshire's information and support for professionals regarding Early Help.
- ✓ The Early Help Strategy Link: [Early Help Strategy](#)
- ✓ Early Help Co-ordinator Link: [Early Help Co-ordinators](#)

Staff and volunteers should be alert to the potential need for early help for children also who are more vulnerable. For example:

- ✓ **Children with a disability and/or specific additional needs.**
- ✓ **Children with special educational needs.**
- ✓ **Children who are acting as a young carer.**
- ✓ **Children who are showing signs of engaging in anti-social or criminal behaviour.**
- ✓ **Children whose family circumstances present challenges, such as substance abuse, adult mental health or learning disability, domestic violence.**
- ✓ **Children who are showing early signs of abuse and/or neglect.**

Children with Special Educational Needs and Disabilities:

Additional barriers can exist when recognising abuse and neglect in this group of children.

This can include:

- ✓ assumptions that indicators of possible abuse such as behaviour; including for example: ADHD or other specific behavioural problems/diagnosis, mood and injury relate to the child's impairment without further exploration;
- ✓ assumptions that children with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs;
- ✓ communication barriers and difficulties;
- ✓ reluctance to challenge carers, (professionals may over empathise with carers because of the perceived stress of caring for a disabled child);
- ✓ disabled children often rely on a wide network of carers to meet their basic needs and therefore the potential risk of exposure to abusive behaviour can be increased;
- ✓ a disabled child's understanding of abuse;



- ✓ lack of choice/participation; and
- ✓ isolation.

Directory of Services for Children with Disabilities: [Specialist-support-for SEND](#)

Northamptonshire's Local Offer: [SEND Local Offer](#)

Managing referrals and cases

Refer all cases of suspected abuse or neglect to the Multi Agency Safeguarding Hub (MASH), Police (cases where a crime may have been committed) and to the Channel programme where there is a radicalisation concern. Safeguarding Referrals must be made in one of the following ways:

- ☞ By telephone contact to the Multi-Agency Safeguarding Hub (MASH): 0300 126 1000 (Opt. 1)
- ☞ By e-mail to: MASH@northamptonshire.gcsx.gov.uk
- ☞ By using the online referral form found at:

<http://www.northamptonshirescb.org.uk/more/borough-and-district-councils/how-to-make-an-online-referral/>

- ☞ In an emergency outside office hours, contact children's social care out of hours team on 01604 626938 or the Police
- ☞ If a child is in immediate danger at any time, left alone or missing, you should contact the police directly and/or an ambulance using 999

DEALING WITH A DISCLOSURE

If a child discloses that he or she has been abused in some way, the member of staff/volunteer should:

- ✓ listen to what is being said without displaying shock or disbelief;
- ✓ accept what is being said;
- ✓ allow the child to talk freely;
- ✓ reassure the child, but not make promises which may not be possible to keep;
- ✓ never promise a child that they will not tell anyone - as this may ultimately not be in the best interests of the child;
- ✓ reassure him or her that what has happened is not his or her fault;
- ✓ stress that it was the right thing to tell;



- ✓ listen, only asking questions when necessary to clarify;
- ✓ not criticise the alleged perpetrator;
- ✓ explain what must be done next and who must be told;
- ✓ make a written record (see Record Keeping).

Pass the information to the Designated Senior Person without delay. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so.

Concerns about a staff member or volunteer

If you have concerns about a member of staff or volunteer, speak to the DSL.

If you have concerns about the DSL, speak to the Northampton ESCO Directors.

The DSL will then follow the procedures set out in appendix 3, if appropriate.

For referrals regarding adults in education and other information on the role of the Designated Officer (formerly LADO) follow the link below:

[Local Authority Designated Officers](#)

An allegation is any information which indicates that a member of staff/volunteer may have:

- ✓ behaved in a way that has, or may have harmed a child;
- ✓ possibly committed a criminal offence against/related to a child;
- ✓ behaved towards a child or children in a way which indicates she/he would pose a risk of harm if they work regularly or closely with children.

Safer working practice

To reduce the risk of allegations, all staff should be aware of safer working practice and should be familiar with the guidance contained in the staff handbook/school code of conduct/staff behaviour policy and Safer Recruitment Consortium document ***Guidance for safer working practice for those working with children and young people in education settings (September 2015)***.

The document seeks to ensure that the responsibilities of school leaders towards children and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviour. This includes guidelines for staff on positive behaviour management in line with the ban on corporal



punishment (School Standards and Framework Act 1998). Please see the school/college's behaviour management policy for more information.

RECORD KEEPING

All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. If in doubt about recording requirements, staff should discuss with the Designated Safeguarding Lead.

When a child has made a disclosure, the member of staff/volunteer should:

- Record as soon as possible after the conversation. Use the school record of concern sheet wherever possible.
- Do not destroy the original notes in case they are needed by a court.
- Record the date, time, place and any noticeable non-verbal behaviour and the words used by the child.
- Draw a diagram to indicate the position of any injuries.
- Record statements and observations rather than interpretations or assumptions.

All records need to be given to the Designated Safeguarding Lead promptly. No copies should be retained by the member of staff or volunteer.

The Designated Safeguarding Lead will ensure that all safeguarding records are managed in accordance with the Education (Pupil Information) (England) Regulations 2005.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

CONFIDENTIALITY

Safeguarding children raises issues of confidentiality that must be clearly understood by all staff/volunteers.

- ✓ All staff have a responsibility to share relevant information about the protection of children with other professionals, particularly the investigative agencies (Children's Services and the Police).
- ✓ Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests.



- ✓ Staff/volunteers who receive information about children and their families in the course of their work should share that information only within appropriate professional contexts.
- ✓ Timely information sharing is essential to effective safeguarding.
- ✓ Information must only be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm.

COMMUNICATION WITH PARENTS/CARERS

Northampton ESCO will ensure the Child Protection Policy is available via website.

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion or disclosure.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care before doing so.

In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

USEFUL LINKS

[NSCB](#)

[NSCB Schools](#)

[NSPCC](#) 0808 800 5000

[Childline](#): 0800 1111

[Child Exploitation and Online Protection \(CEOP\)](#): 0870 000 3344

Online safety training and advice contact: Onlinesafety@northamptonshire.gov.uk

Online safety policy examples: [Online safety policy examples](#)

Inspecting Safeguarding In the Early Years August 2018: [Inspecting-safeguarding-in-early-years-education-and-skills](#)

Early Years Foundation Stage Statutory Framework: [Early Years Foundation Stage Statutory Framework](#)



APPENDIX 1: KEEPING CHILDREN SAFE IN EDUCATION (DfE 2018)

Part One: Information for all school and college staff

Annex A: Further information

KEEPING CHILDREN SAFE IN EDUCATION (DfE 2018)

[KCSIE 2018 Part 1](#)

It is essential that all staff have access to this online document and read Part 1 and Annex A, which provides further information on:

- ✓ Children and the court system
- ✓ Children missing from education
- ✓ Children with family members in prison
- ✓ Child sexual exploitation
- ✓ Child criminal exploitation: county lines
- ✓ Domestic abuse
- ✓ Homelessness
- ✓ So-called 'honour-based' violence
- ✓ Preventing radicalisation
- ✓ Peer on peer abuse
- ✓ Sexual violence and sexual harassment between children in schools and colleges

This is to assist staff to understand and discharge their role and responsibilities as set out in this guidance.

It is highly recommended that staff are asked to sign to say they have read these sections or provide email conformation (please see Appendix 2) and should subsequently be re-directed to these online documents again should any changes occur.



APPENDIX 2: DECLARATION FOR STAFF

Child Protection Policy and Keeping Children Safe in Education (DfE 2018)

Child Protection- Report a Concern

Name of referrer:		Role of referrer:	
Child Name:			
Date of birth:		Child School and year group	
Details of concern:	<i>(Use body map if appropriate)</i>		
Reported to:		Role of person reported to:	
Signed:			



Date:			
Action taken:		Advice sought: <i>(from whom and what was advice given)</i>	
Concern / referral discussed with parent / carer?		<i>If not, state reasons why – if yes, note discussion with parent</i>	
Referral made:		<i>If not, state reasons why – if yes, record to whom and any action agreed</i>	
Feedback to referring member of staff:			<i>By whom</i>
Response to / action taken with child:			<i>By whom</i>
Name and contact number of key workers:			



Name and contact details of GP:	
Other notes / information: Any other action required:	

Please return this completed document to Melanie Smith (Director of Northampton ESCO CIC)



APPENDIX 3: WHAT TO DO IF YOU ARE WORRIED A CHILD IS BEING ABUSED: ADVICE FOR PRACTITIONERS (DfE 2018)

Flowchart

Be alert

- Be aware of the signs of abuse and neglect
- Identify concerns early to prevent escalation.
- Know what systems the school have in place regarding support for safeguarding e.g. induction training, staff behaviour policy / code of conduct and the role of the Designated Safeguarding Lead (DSL).

Question behaviours

- Talk and listen to the views of children, be non-judgemental.
- Observe any change in behaviours and question any unexplained marks / injuries
- To raise concerns about poor or unsafe practice, refer to the HT or principal, if the concerns is about the HT or Principal, report to Chair of Governors. Utilise whistleblowing procedure.

Ask for help

- Record and share information appropriately with regard to confidentiality.
- If staff members have concerns, raise these with the school's or college's Designated Safeguarding Lead (DSL)
- Responsibility to take appropriate action, do not delay.

Refer

- DSL will make referrals to children services but in an emergency or a genuine concern that appropriate action has not been taken, staff members can speak directly to MASH on 0300 126 1000 (Option 1)



APPENDIX 4: INDICATORS OF ABUSE AND NEGLECT

Appendix 1: types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse 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
- ✓ Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- ✓ 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 participating in normal social interaction
- ✓ Seeing or hearing the ill-treatment of another
- ✓ Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

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
- ✓ Non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)



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

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. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- ✓ Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- ✓ Protect a child from physical and emotional harm or danger
- ✓ Ensure adequate supervision (including the use of inadequate care-givers)
- ✓ Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

The framework for understanding children's needs:



In addition to the above, from Working Together to Safeguard Children (DfE 2018), refer to the latest Thresholds and Pathways document: [Northamptonshire Thresholds and Pathways](#)



Appendix 5: ANNEX A Specific Safeguarding Issues

Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11 year olds and 12-17 year olds.

They explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

Children missing from education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school or college's unauthorised absence and children missing from education procedures.

Children with family members in prison

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

Child Sexual Exploitation (CSE)

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people, (or a third person or persons) receive something, (e.g.



food, accommodation, drugs, alcohol, cigarettes, affections, gifts, money) as a result of them performing and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidations are common, involvement in exploitative relationships being characterised in the main by the child's or young person's limited availability of choice, resulting from their social/economic and/or emotional vulnerability. (DCSF 2009).

Key Facts about CSE

- ✓ Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- ✓ It affects both girls and boys and can happen in all communities.
- ✓ Any person can be targeted but there are some particularly vulnerable groups: Looked after Children, Children Leaving Care and Children with Disabilities.
- ✓ Victims of CSE may also be trafficked (locally, nationally and internationally).
- ✓ Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.

Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

Good practice – Individuals

- ✓ Recognise the symptoms and distinguish them from other forms of abuse
- ✓ Treat the child/young person as a victim of abuse
- ✓ Understand the perspective/behaviour of the child/young person and be patient with them
- ✓ Help the child/young person to recognise that they are being exploited
- ✓ Collate as much information as possible
- ✓ Share information with other agencies and seek advice/refer to Social Care

Good practice – Organisations

- ✓ Ensure robust safeguarding policies and procedures are in place which cover CSE
- ✓ Promote and engage in effective multi-agency working to prevent abuse
- ✓ Work to help victims move out of exploitation
- ✓ Cooperate to enable successful investigations and prosecutions of perpetrators

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 transporting drugs and a referral to the National Referral Mechanism 12 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.

Homelessness

Being homeless, or being at risk of becoming homeless, presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes in to the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals



and/or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: Homeless Reduction Act Factsheets. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation.

So-called 'honour-based' violence

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

Actions

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on **teachers** that requires a different approach (see following section).



Female Genital Mutilation FGM

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures.

FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003.

Other than in the excepted circumstances, it is an offence for **any person (regardless of their nationality or residence status)** to:

- ✓ perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- ✓ assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and
- ✓ assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a **UK national or permanent UK resident** (section 3 of the Act).

Forced Marriage (FM)

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

FM is illegal in England and Wales. This includes:

- ✓ taking someone overseas to force them to marry (whether or not the forced marriage takes place);
- ✓ marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not).

Prevent

The Counter Terrorism & Security Act 2015

The Act places a Prevent duty on specified schools to have "due regard to the need to prevent people from being drawn into terrorism". The education and childcare specified authorities in Schedule 6 to the Act are as follows:



- ✓ The proprietors of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies, PRUs, registered early years providers, registered late years providers and some holiday schemes.

Schools/settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas: –

- ✓ assessing the risk of children being drawn into terrorism;
- ✓ demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies;
- ✓ ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board;
- ✓ make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism;
- ✓ expected to ensure children are safe from terrorist and extremist material when accessing the internet in school.

Sexting in schools

<https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/safeguarding/SextingResourcePack.pdf>

Sexual violence and sexual harassment between children in schools and colleges

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, likely, 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;



- ✓ 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 2003¹⁹ 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? 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.

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 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.

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.