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## **Contents<sup>1</sup>**

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### **Part A**

<b>Contents</b>	<b>1</b>
1. Policy Statement	2
2. Aims	2
3. Trust personnel	3
4. Roles and responsibilities	3
5. Staff procedures	6
6. Staff Wellbeing	9
7. Safeguarding Issues	9
8. Children who may be particularly vulnerable	17
9. Prevention of harm	20
10. Multi-agency working	20
11. The use of reasonable force	21
12. Safer recruitment	21
13. The Single Central Record	21
14. Alternative provision	22
15. Children staying with host families	22
16. Private fostering	23
17. Curriculum opportunities to teach safeguarding	23
18. Online safety	23

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<sup>1</sup> The changes in red are due to the Keeping children safe in education (KCSIE) update for September 2020; those in blue are following the safeguarding-lead trustee's recommendations. The colours will be removed when the policy has been adopted.



## Vanguard Learning Trust Safeguarding and Child Protection Policy Part A

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### 1. Policy Statement

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The Vanguard Learning Trust is committed to safeguarding children and young people and expects everyone who works for the Trust to share this commitment.

Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families has a role to play in identifying concerns, sharing information and taking prompt action.

Safeguarding and promoting the welfare of children is defined for the purposes of this policy as:

- protecting children from maltreatment;
- preventing impairment of children's mental and physical health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.

It is important to remember that Safeguarding and Child Protection are not the same. Safeguarding is what we do for all children and young people to keep them safe whilst in our care. Child protection describes the policy and procedures specifically for those young people who are at risk of serious harm or have been seriously harmed.

Children include everyone under the age of 18.

Trustees, governors and staff within Vanguard Learning Trust fully recognise their responsibility for safeguarding children. Trustees, governors and staff share a belief that our schools should provide a caring, positive, safe and stimulating environment which promotes the social, physical and moral development of the individual child.

This policy is based on the statutory guidance Keeping Children Safe in Education, September 2020 (KCSiE). All members of the Trust are expected to read Part 1 and Annex A of KCSiE.

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### 2. Aims

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The aims of this policy are to:

- Establish a safe environment in which children can learn and develop;
- Provide all members of the Trust with the necessary information to enable them to meet their statutory responsibilities to promote and safeguard the wellbeing of children
- Ensure consistent good practice across the Trust
- Demonstrate the Trust's commitment to safeguarding children

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### 3. Trust personnel

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The Executive Headteacher for the Trust is Dr Martina Lecky

The Designated Safeguarding Lead (DSL) for the Trust is Mrs Alison Foster

The Safeguarding Governor for the Trust is Mrs Pauline Nixon

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### 4. Roles and responsibilities

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

Each school in the Trust has a DSL, who is also a member of the school's senior leadership team. The DSL takes lead responsibility for safeguarding and child protection. All deputies are trained to the same standard as the DSL.

Whilst the activities of the DSL can be delegated to appropriately trained deputies, the ultimate lead responsibility for safeguarding and child protection remains with the DSL for each individual school in the Trust. This responsibility should not be delegated.

The DSL and any deputies should liaise with 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 the police area in the local authority area) and work with other agencies in line with Working Together to Safeguard Children.

During term time, the DSL and/or a member of the safeguarding team should be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns. It is a matter for individual schools in the Trust to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

#### **The DSL 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.
- liaise with the headteacher to inform him or her of issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- as required, liaise with the LADO in cases which concern a staff member;
- liaise with staff on matters of safety and safeguarding
- act as a source of support, advice and expertise for all staff.
- DSLs should help promote educational outcomes by sharing information about the welfare, safeguarding and child protection issues that children (including those with a social worker) are experiencing, or have experienced, with teachers and other staff
- for example:
  - making sure that staff know who these children are, understand their academic progress and attainment, and maintain a culture of high aspirations for them;

- Supporting teaching staff to identify the challenges that children in this group might face, and the additional academic support and adjustments that they could make to best support them.

### **Training**

The DSL (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

### **Raise Awareness**

The DSL should:

- ensure the Trust's safeguarding policy is known, understood and used appropriately;
- ensure the Trust's safeguarding policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this;
- ensure the Trust's safeguarding 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 in this; and
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

### **The Headteacher**

**Each Headteacher in the Trust is expected to:**

- ensure that the safeguarding and child protection policy and procedures are implemented and followed by all staff;
- allocate sufficient time and resources to enable the DSL and deputy to carry out their roles effectively, including the assessment of students and attendance at strategy discussions and other necessary meetings;
- Ensure that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the school's whistle blowing procedures;

### **Trustees and local governing bodies**

All trustees and governing bodies for each school will ensure that each school has:

- a DSL for safeguarding and child protection, who is a member of the senior leadership team and has undertaken the appropriate training;
- a safeguarding and child protection policy and procedures that are consistent with LSCB requirements, reviewed annually and are available on the school's website;
- procedures for dealing with allegations of abuse made against members of staff including allegations made against the Headteacher;
- safer recruitment procedures that include the requirement for appropriate checks in line with national guidance
- a training strategy that ensures all staff, including the Headteacher, receive child protection training, with refresher training at three-yearly intervals. The DSL should receive refresher training at two-yearly intervals;

- arrangements to ensure that all temporary staff and volunteers are made aware of the school's arrangements for child protection;
- a nominated member of the governing body (normally the chair) to be responsible for liaising with the local authority and other agencies in the event of an allegation being made against the Headteacher.

### **School staff in the Trust**

**All staff** have a responsibility to provide a safe environment in which children can learn and all staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.

**Any staff member** who has a concern about a child's welfare should follow the referral processes set out in their school's local policy.

Staff should expect to support social workers and other agencies following any referral. All staff should be aware of systems within their school which support safeguarding and these should be explained to them as part of staff induction. This should include:

- the Vanguard Learning Trust Safeguarding Policy;
- the behaviour policy;
- the staff code of conduct;
- the safeguarding response to children who go missing from education;
- the role of the DSL.

All staff should:

- receive appropriate safeguarding and child protection training which is regularly updated;
- know what to do if a child tells them he/she is being abused or neglected;
- know how to manage the requirement to maintain an appropriate level of confidentiality;
- never promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child
- refer all concerns/incidents reported to them to the DSL/member of the safeguarding team
- be aware that safeguarding incidents could happen anywhere and be alert to possible concerns then being raised in school
- raise concerns with children's social care directly if they believe there is a risk of immediate serious harm to the child. This would only be recommended if staff are unable to contact the safeguarding team directly, for example on return from a school trip in the early hours of the morning, or if they believe that the safeguarding team have not contacted social care following a disclosure / serious concern. Although both of these situations are highly unlikely it is important that staff remember that the safety of children is of paramount importance
- press for reconsideration if a child's situation does not appear to be improving following a referral.

Safeguarding concerns about adults in an individual school should be made directly to the local Headteacher.

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## 5. Staff procedures

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### What staff should do if they have concerns about a child

Staff in the Trust are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the best interests of the child. If staff have any concerns about a child's welfare, they should act on them immediately and follow their individual school's referral process.

The DSL or a deputy should always be available to discuss safeguarding concerns during school hours. If in exceptional circumstances, the DSL (or deputy) is not available, this should not delay appropriate action being taken. Staff should speak to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the DSL (or deputy) as soon as is practically possible.

Staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for effective identification, assessment and allocation of appropriate service provision.

The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

### If a child discloses information to a member of staff

It takes a lot of courage for a child to disclose that they are being neglected and or abused. They may feel ashamed, particularly if the abuse is sexual, their abuser may have threatened what will happen if they tell, they may have lost all trust in adults, or they may believe, or have been told, that the abuse is their own fault.

If a child talks to staff about any risks to their safety or wellbeing, the staff member will need to let them know that the information **must** be passed on – staff are not allowed to keep secrets.

### During a conversation with the child:

There are certain key things that staff can say and do when a child discloses alleged abuse.

- Allow them to speak freely;
- Do not promise confidentiality. If what a child discloses is an allegation of abuse, staff have a duty to tell and will then have to betray the child's trust. Always explain that the school will need to talk to a designated member of staff who will keep the issue as confidential as possible;
- Remain calm and do not overreact – the child may stop talking if they feel the information they are disclosing is upsetting to staff;
- Take what the child says seriously. Do not show disbelief and keep an open mind. It is more likely than not that the child is telling the truth;
- Give reassuring nods or words of comfort – 'I'm so sorry this has happened', 'You are doing the right thing in talking to me';
- Do not be afraid of silences – remember how hard this must be for the child;

- Listen, only asking questions when necessary to clarify. Under no circumstances ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the child’s parent think about all this;
- Do not criticise the alleged abuser. Often an abused child has very confused feelings about the perpetrator and may still love the person whilst hating what has been done. Judgemental comments can evoke a sense of bewildering loyalty;
- Once the child has finished relating what has happened, give reassurance: this kind of thing has happened to others and there are people who can help. No-one has to go through this experience alone;
- Tell the child what will happen next as far as possible. Answer any questions honestly; if staff are unable to answer a question, they should say this, and that they will try to find out;
- Never promise anything which cannot be delivered for certain. For example, do not promise that everything will work out fine or that the child will never have to face the abuser again. Staff can only promise to do their best to help;
- Write up the conversation as soon as possible and hand it to the designated person without delay, as it may not be appropriate for the child to return home at the end of the school day;

Staff should seek support if they feel distressed.

### **Notifying parents/guardians**

Each school in the Trust will normally seek to discuss any concerns about a child with their parents/guardians and this must be handled sensitively.

However, if the individual school believes that notifying parents/guardians could increase the risk to the child or exacerbate the problem, then advice will first be sought from children’s social care and parents may not be contacted.

### **What staff should do if they have concerns about another member of staff**

All schools in the Trust have a policy and procedures for managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school or college that provides education for children under 18 years of age has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

If staff have safeguarding concerns, or an allegation is made about another member of staff (including volunteers and supply teachers) posing a risk of harm to children, this should be referred to the individual school’s headteacher. Where there are concerns/allegations about the headteacher, this should be referred to the individual school’s chair of governors. Employees can also contact the NSPCC whistleblowing advice line on 0800 028 0285.

### **Staff who are the subject of an allegation**

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and

misinterpretations of events can and do happen. A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, it is accepted that some adults do pose a serious risk to children's welfare and safety and in such cases all schools in the Trust must act on every allegation made. 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 not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

A school may have to consider an allegation against someone not directly employed by the school and where the usual disciplinary procedures don't fully apply, like supply staff provided by an agency. The school should not decide to stop using the supply teacher due to safeguarding concerns without finding out the facts and liaising with the LADO to determine a suitable outcome. The Governing Boards should discuss with the agency whether it's appropriate to suspend the supply teacher, or redeploy them to another part of the school, while they carry out their investigation. Agencies should be fully involved and co-operate in any enquiries, but the school will usually take the lead as the agency won't be able to collect the necessary information. When using an agency, they should be informed of the process for managing allegations, including inviting the agency's HR manager or equivalent to meetings and keeping them up to date with information about your policies

Allegations are reported by the DSL to the Local Authority Designated Officer (LADO) – contact details below.

Referral email [lado.contact@hillingdon.cjsm.net](mailto:lado.contact@hillingdon.cjsm.net)

### **What staff should do if they have concerns about safeguarding practices**

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.

Appropriate whistleblowing procedures should be put in place for each individual school as outlined in the Whistleblowing Policy.

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

- General guidance on whistleblowing can be found via: Advice on Whistleblowing;
- The NSPCC whistleblowing helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### **What staff should look out for**

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

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- is a young carer;
- is showing signs of being drawn in to anti-social or criminal behaviour;
- is frequently missing/goes missing from care or from home;



- is at risk of modern slavery, trafficking or exploitation;
- is at risk of being radicalised or exploited;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
- is misusing drugs or alcohol themselves;
- has returned home to their family from care;
- is a privately fostered child.

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

All staff should be aware of indicators of abuse and neglect (Appendix 1) so that they are able to identify cases of children who may be in need of help or protection.

### Taking action

Key points to remember for taking action are:

- to report concerns to the DSL or another member of the safeguarding team as quickly as possible, and certainly before the end of the school day;
- if a member of the safeguarding team is not available, ensure the information is shared with the most senior person in the school that day and ensure action is taken to report the concern to children's social care;
- staff should not start their own investigation
- to share information on a need-to-know basis only – not to discuss the issue with colleagues, friends or family;
- to complete a record of concern;
- staff should seek support if they are distressed;
- in an emergency, take the action necessary to help the child; for example, call 999.

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## 6. Staff Wellbeing

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The Trust recognises that safeguarding is everyone's responsibility and that there is a duty of care to the professionals working in Trust schools. The Education Support Partnership is a charity providing mental health and well-being support services to all education staff and organisations.

**Education Support Partnership Helpline; 0800 562 561** (Everyday, 24 hours a day) Staff can also text on 07909 341229 or email [support@edsupport.org.uk](mailto:support@edsupport.org.uk)

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## 7. Safeguarding Issues

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

## **Mental Health**

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

Only trained professionals should make a diagnosis of a mental health problem, but staff are well placed to observe children and identify those whose behaviour suggests they may be experiencing a mental health problem or be at risk of developing one.

Abuse, neglect and other traumatic adverse childhood experiences can have a lasting impact, and it's essential that staff are aware of how these experiences can affect children's mental health, behaviour and education. Staff should take action on any mental health concerns that are also safeguarding concerns, following the school's safeguarding procedures and speaking to the DSL or deputy.

DfE is guidance available on preventing and tackling bullying and mental health and behaviour, as well as Public Health England.

## **Peer-on-peer abuse**

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

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments
- The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Any individual can be a victim;
- sexting (also known as youth produced sexual imagery);
- initiation/hazing type violence and rituals.

## **Serious violence**

All staff should be aware of indicators, which may signal that children are at risk from, or involved with serious violent crime. There may include:

- increased absence from school;
- a change in friendships or relationships with older individuals or groups;
- a significant decline in performance;
- signs of self-harm or a significant change in wellbeing;
- signs of assault or unexplained injuries.

Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

## **So-called ‘honour-based’ abuse**

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.

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 their school’s DSL (or deputy) who liaise with the police and/or children’s social care.

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

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

Whilst all staff should speak to their school’s DSL (or deputy) with regard to any concerns about FGM, there is a specific legal duty on teachers. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining students, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#).

## **Forced marriage**

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published statutory guidance and Multi-agency guidelines, with pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmufco.gov.uk](mailto:fmufco.gov.uk).

## **Preventing radicalisation**

Extremism is the vocal or active opposition to fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies. There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media) and settings (such as the internet).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection.

## **Recognising Extremism**

Early indicators of radicalisation or extremism may include:

- showing sympathy for extremist causes;
- glorifying violence, especially to other faiths or cultures;
- making remarks or comments about being at extremist events or rallies outside school;
- evidence of possessing illegal or extremist literature;
- advocating messages similar to illegal organisations or other extremist groups;
- out of character changes in dress, behaviour and peer relationships (but there are also very powerful narratives, programmes and networks that young people can come across online so involvement with particular groups may not be apparent.);
- secretive behaviour;
- online searches or sharing extremist messages or social profiles;
- intolerance of difference, including faith, culture, gender, race or sexuality;
- graffiti, art work or writing that displays extremist themes;
- attempts to impose extremist views or practices on others;
- verbalising anti-Western or anti-British views;
- advocating violence towards others;

If a member of staff has concerns that a student may be at risk of radicalisation or involvement in terrorism, they should speak with their DSL (or deputy).

## **The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the CounterTerrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism".

This duty is known as the Prevent duty. The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations.

## Contextual safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside the school. All staff, but especially the DSL (and deputies) should consider the context within which such incidents and/or behaviours occur. All staff should consider whether children are at risk of abuse or exploitation in situations outside their families (eg. sexual exploitation, criminal exploitation, serious youth violence). All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside school and/or can occur between children outside of this environment. This is known as contextual safeguarding, which simply means that assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that schools in the Trust provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

## Child on Child Sexual Violence and Sexual Harassment

The DFE has published detailed advice to support schools and colleges and is available here: *Sexual violence and sexual harassment between children in schools and colleges* ([click here](#)).

It is important that 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, the policy is referring to sexual offences under the Sexual Offences Act 2003<sup>105</sup> as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

## What is consent?

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

Sexual harassment is 'unwanted conduct of a sexual nature' that can occur online and offline. 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 and displaying pictures, photos or drawings of a sexual nature.

Online sexual harassment 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.

### **Responding to reports of sexual violence and sexual harassment**

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure.

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

Local school policies will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the DSL or children’s social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to;
- recognising a child is likely to disclose to someone they trust: this could be anyone on the school staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
- listening carefully to the child, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc;
- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential that a written record is made;
- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Staff should be aware that the notes of such reports could become part of a statutory assessment by children’s social care and/or part of a criminal investigation;

- where the report includes an online element, being aware of searching screening and confiscation advice (for schools) and UKCCIS sexting advice (for schools and colleges). The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice provides more details on what to do when viewing an image is unavoidable.
- if possible, managing reports with two members of staff present, (preferably one of them being the DSL or a deputy). However, this might not always be possible; and
- informing the DSL (or deputy), as soon as practically possible, if the DSL (or deputy) is not involved in the initial report.

## **Risk Assessment**

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

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

Risk assessments should be recorded (written or electronic) and should be kept under review. At all times, the school should be actively considering the risks posed to all their students and putting adequate measures in place to protect them and keep them safe. The DSL (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

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

## **Child sexual exploitation (CSE) and child criminal exploitation**

These are defined as forms of abuse where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity.

The imbalance can be due to age, as well as other factors like gender, sexual identity, cognitive ability, physical strength, status and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (eg. increased status) of the perpetrator or facilitator. It can:

- be perpetrated by individuals or groups, males or females, and children or adults;
- be a one-off occurrence or be a series of incidents over time, and range from opportunistic to complex organised abuse;
- involve force and/or enticement-based methods of compliance and can involve violence or threats of violence;
- can be exploitative even when the activity appears to be consensual;
- happen online as well as in person.

## **Child sexual exploitation (CSE)**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person

under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact: it can also occur through the use of technology. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and noncontact sexual activity;
- can take place in person or via technology, or a combination of both; ;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

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

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

If staff suspect that a child is, or is at risk of, sexual exploitation, the DSL should be made aware of concerns as soon as possible.

### **Child Criminal Exploitation (CCE)**

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity:

- (a) in exchange for something the victim needs or wants, and/or
- (b) for the financial or other advantage of the perpetrator or facilitator and/or
- (c) through violence or the threat of violence.

The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country, forced to shoplift or pickpocket, or to threaten other young people. Some of the following can be indicators of CCE children who:

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



## County Lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other forms of “deal line”. Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap victims (and their families) if they attempt to leave the county lines network. One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>103</sup> should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

## 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. Advice on identifying children who are affected by domestic abuse and how they can be helped is available at [Domestic abuse](#).

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## 8. Children who may be particularly vulnerable

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### Children missing from education

All staff in the Trust 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 individual school's unauthorised absence and children missing from education procedures.

Each individual school should monitor attendance carefully and address poor or irregular attendance without delay.

All schools should follow up with parents/guardians when students are not at school. This means the school needs to have at least two up to date contact numbers for parents/guardians. Parents should remember to update the school as soon as possible if the numbers change.

### **Children who are homeless**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL (and any deputies) should be aware of contact details and referral routes into 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, and in accordance with local procedures, 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.

### **Looked after children and previously looked after children**

The most common reason for children becoming looked after is as a result of abuse and/or neglect. The DSL should have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken when necessary to safeguard these children, who are a particularly vulnerable group. Each individual school in the Trust must appoint a designated teacher and should work with local authorities to promote the educational achievement of registered students who are looked after or previously looked after.

### **Children with special educational needs and disabilities**

Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other children;
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs;
- communication barriers and difficulties in overcoming these barriers.

To address these additional challenges, schools in the Trust should consider extra pastoral support for children with SEN and disabilities.

## **Support for students with SEN**

Research suggests that:

- disabled children are at a greater risk of physical, sexual and emotional abuse and neglect than non-disabled children;
- disabled children at greatest risk of abuse are those with behaviour/conduct disorders;
- other high-risk groups include children with learning difficulties/disabilities, children with speech and language difficulties, children with health-related conditions and hearing impaired children.
- disabled children in residential care face particular risks;
- bullying is a feature in the lives of many disabled children.

Research has identified a number of activities that can help to protect disabled children. These include:

- personal safety skills activities, including sex and relationships education, that raise disabled children's awareness of abuse and ability to seek help;
- peer support, which can have a beneficial effect on reducing bullying and enabling children to explore issues and make decisions
- creative therapies, which can provide children with opportunities to express themselves through indirect and non-verbal means;
- to raise awareness about the abuse of disabled children and challenge attitudes and assumptions that act as barriers to protection;
- to promote safe and accessible services;
- to raise disabled children's awareness of abuse and ability to seek help, including access to personal safety skills training

## **Children involved in a child protection issue**

Child neglect and abuse is devastating for the child and can also result in distress and anxiety for staff who become involved. All schools in the Trust will support the children, their families, and staff by:

- taking all suspicions and disclosures seriously;
- nominating a link person who will keep all parties informed and be the central point of contact. Where a member of staff is the subject of an allegation made by a child, a separate link person will be nominated to avoid any conflict of interest;
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- storing records securely;
- offering details of help lines, counselling or other avenues of external support;
- following the procedures laid down in the whistle blowing, complaints and disciplinary procedures;
- co-operating fully with relevant statutory agencies.

## **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.

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## 9. Prevention of harm

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The Trust recognises that schools play a significant part in the prevention of harm by providing students with good lines of communication with trusted adults and an ethos of protection. Each school in the Trust will therefore:

- establish and maintain an ethos where students feel secure and are encouraged to talk and are always listened to;
- ensure that all students know there is an adult in the school whom they can approach if they are worried or in difficulty;
- include in the curriculum opportunities which equip students with the skills they need to stay safe from harm and to know who they should turn to for help.

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## 10. Multi-agency working

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Schools in the Trust have a pivotal role to play in multi-agency safeguarding arrangements. Governing bodies should ensure that each school in the Trust contributes to multi-agency working in line with statutory guidance 'Working Together to Safeguard Children'.

Locally, the 3 safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for the police area in the local authority area) will make arrangements to work together to safeguard and promote the welfare of local children.

### Information sharing

Information sharing is vital in identifying and tackling all forms of abuse and neglect. The Data Protection Act 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote welfare and protect the safety of children.

Each school in the Trust must ensure that when children leave, their child protection file is transferred to the new school or college as soon as possible, ensuring secure transit, and confirmation of receipt. This should be transferred separately from the main student file. Receiving schools should ensure key staff such as the DSL and SENCO are aware as required. In addition to the child protection file, the DSL should also consider whether it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the new school or college to continue supporting victims of abuse and have that support in place for when the child arrives.

### Staff training

All staff in the Trust must undergo safeguarding and child protection training at induction. This training should be regularly updated.

In addition, all staff should receive regular safeguarding and child protection updates (for example, via email, e-bulletins, staff meetings) as required, and at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

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## 11. The use of reasonable force

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There are circumstances when it is appropriate for staff in schools and colleges to use reasonable force to safeguard children and young people. The term 'reasonable force' covers a broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom. Should a member of staff be in a position where they use 'reasonable force' they must inform their school's DSL.

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## 12. Safer recruitment

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All schools in the Trust should prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required and ensuring volunteers are appropriately supervised. Each school in the Trust should have written recruitment and selection policies and procedures in place.

The School Staffing (England) Regulations 2009 require governing bodies of maintained schools to ensure that at least one of the persons who conducts an interview has completed safer recruitment training.

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## 13. The Single Central Record

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All schools in the Trust must maintain their own single central record detailing checks carried out in each school. Whilst there is no requirement for the Trust to maintain an individual record for each school, the information should be recorded in such a way that allows for details for each individual school to be provided separately, and without delay, to those entitled to inspect that information.

The single central record must cover the following people:

- all staff, including teacher trainees on salaried routes;
- agency and third party supply staff who work at the school.

The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check/certificate;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK
- a check of professional qualifications, where required;
- a check to establish the person's right to work in the United Kingdom.

In addition:

- colleges must record whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18;
- a section 128 check (for management positions for independent schools including academies and free schools);

For agency and third party supply staff, schools and colleges must also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff.

### **Trainee/student teachers**

Where applicants for initial teacher training are salaried by the Trust, the individual school must ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Schools in the Trust should obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record.

If a school in the Trust has concerns about an existing staff member's suitability to work with children, the individual school should carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the Trust moves from a post that was not regulated activity into work which is considered to be regulated activity, the relevant checks for that regulated activity must be carried out.

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## **14. Alternative provision**

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Where a school in the Trust places a student with an alternative provision provider, the individual school continues to be responsible for the safeguarding of that student, and should be satisfied that the provider meets the needs of the student. Schools should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff.

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## **15. Children staying with host families**

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If a school in the Trust makes arrangements for their students to be provided with care and accommodation by a host family to whom they are not related, for example, as part of a foreign exchange visit or sports tour, they should consider the suitability of the adults in the respective families who will be responsible for the visiting child during the stay. See Annex E of 'Keeping Children Safe in Education' for further details.

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## 16. Private fostering

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Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school staff through the normal course of their interaction, and promotion of learning activities, with children. The school should then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child.

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## 17. Curriculum opportunities to teach safeguarding

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All schools in the Trust should consider opportunities to teach safeguarding. This may include covering relevant issues through Relationships Education and Relationships and Sex Education.

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## 18. Online safety

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The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
- **contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.

### **Filters and monitoring**

Each school in the Trust should ensure that they have appropriate filters and monitoring systems in place.

The appropriateness of any filters and monitoring systems are a matter for individual schools. The UK Safer Internet Centre has published guidance as to what “appropriate” filtering and monitoring might look like: UK Safer Internet Centre: appropriate filtering and monitoring.

Guidance on e-security is available from the National Education Network.

Whilst filtering and monitoring is an important part of the online safety picture for schools and colleges to consider, it is only one part. Many children have unlimited and unrestricted access to the internet via 3G and 4G in particular and each individual school in the Trust should carefully consider how this is managed on their premises.

Education at home: where children are being asked to learn online at home, the DfE has provided advice to support schools and colleges to do so safely, which is as follows:

- *Safeguarding and remote education during coronavirus (COVID-19)* ([click here](#))
- *Coronavirus (COVID-19): safeguarding in schools, colleges and other providers* ([click here](#))