



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

This policy was reviewed on 01/09/2022

This Policy has been drawn up in line with East Sussex Children Partnership (ESCP)  
ESCC Model Safeguarding Policy August 2022

## Key contacts

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Single Point of Advice (SPOA) (all level 3 and level 4 referrals)	SPOA :  Opening hours: Monday to Thursday 8.30am to 5pm Friday 8.30am to 4.30pm <a href="mailto:sboa@eastsussex.gov.uk">sboa@eastsussex.gov.uk</a>	01323 464222
	Emergency Duty Service – after hours, weekends and public holidays	01273 335906 01273 335905
Local Authority Designated Officer (LADO)	<b>LADO</b> Local Authority Designated Officer  All contact through the on-line portal <a href="https://www.eastsussex.gov.uk/childrenandfamilies/professional-resources/lado/">https://www.eastsussex.gov.uk/childrenandfamilies/professional-resources/lado/</a>	
East Sussex Safeguarding Children Partnership (ESSCP)	The ESSCP set the local procedures in relation to Safeguarding and Child Protection <a href="mailto:ESSCP.Contact@eastsussex.gov.uk">ESSCP.Contact@eastsussex.gov.uk</a>	01273 481544
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**A copy of this Policy is available on the setting  
website where links contained in blue will be active**

# **Child Protection and Safeguarding Policy**

## **Introduction**

- Our whole setting approach to safeguarding is based upon an understanding of the local context and an attitude of '**it could happen here**'.
- Safeguarding children is everyone's responsibility. Everyone who comes in to contact with children and families has a role to play.
- Our children' welfare is our paramount concern. The proprietors of the setting will ensure that we safeguard and promote the welfare of children and work together with other agencies to ensure that our setting has adequate arrangements to identify, assess and support those children who are suffering or likely to suffer harm.
- Our setting is a community and all those directly connected, staff members, parents, families, and children, have an essential role to play in making it safe and secure.
- So that children are supported to identify and manage risk in their lives we teach a range of knowledge through specific topics related to safeguarding as part of our broad and balanced preventive learning.
- Although some learning areas are better placed for the delivery of teaching and learning around some areas, e.g. IT time can lead on online safety and PSHE can lead on healthy relationships, all practitioners recognise that there are opportunities to reinforce the learning around these topics within all areas of learning, and will plan to do so.
- The use of technology is a significant component of many safeguarding issues so as part of our whole setting approach to safeguarding we have a separate Online Safety Policy which covers this area of work. This policy includes details of how internet use at the setting is filtered and monitored and how we teach children to stay safe online whether they are at setting or at home and how we communicate with parents to reinforce the importance of children being safe online.
- We recognise that abuse may occur in a range of situations: within families or households, within the community, or online or face to face. We also recognise too that it is not only adults who may abuse children but also that children can abuse other children as well.
- We recognise that just because children are not raising concerns, that is not to say that there are no concerns. For example, there may be no reported cases of child on child abuse, but such abuse may still be taking place and is simply not being reported, this is why it is so important to listen to children, teach them about risk and safety and raise awareness around how to seek support and what the setting will do.
- We take a zero-tolerance approach to child on child abuse. Further information on this area of work is within Appendix D of this policy. This should also be read alongside the Behaviour, Anti-Bullying and Online policy.

## **Our ethos**

- We believe that our setting should provide a caring, positive, safe, and stimulating environment that promotes the social, physical and moral development of the individual child.
- We recognise the importance of providing an environment within our setting that will help children feel safe and respected. We recognise the importance of enabling children to talk openly and to feel confident that they will be listened to and that they will always be taken seriously.
- We recognise that all adults within the setting, including permanent and temporary staff and volunteers, have a full and active part to play in protecting our children from harm.
- We will work with parents to build an understanding of the setting's responsibilities to ensure the welfare of all children, including the need for referrals to other agencies in some situations.

## Scope

- In line with the law, this policy defines a child as anyone under the age of 18 years.
- This policy applies to all members of staff in our setting, including all permanent, temporary staff, volunteers, contractors and external service or activity providers.
- The policy includes the **Early Years Foundation Stage (EYFS)** in all sections of this Policy including those shown under the heading **Roles and Responsibilities**. The setting's policy on the **use of mobiles and cameras** is especially relevant to their use **in the EYFS**.

## The legal framework

Section 157 of the of the Education Act 2002 places a duty on non-maintained and independent settings, including free settings and academies to make arrangements for ensuring that their functions relating to the conduct of the setting are exercised with a view to safeguarding and promoting the welfare of children who are children at the setting.

This policy and the accompanying procedures have been developed in accordance with the following statutory guidance and local safeguarding procedures:

- [Keeping Children Safe in Education: Statutory Guidance for Settings and Colleges \(2022\)](#) (KCSIE) (DfE)
- [Pan-Sussex Child Protection and Safeguarding Procedures](#) (ESCC)
- [Information sharing advice for safeguarding practitioners](#) (guidance: July 2018) (DfE)
- [Statutory Framework for the Early Years Foundation Stage](#) September 2021 (DfE)
- [Prevent Duty Guidance for England and Wales \(2015\)](#) updated 01/04/2021 (Home Office)

Supplemented by:

[The Prevent Duty: Departmental advice for settings and childcare providers](#) June 2015 (DfE)

## Roles and responsibilities

- Ellen Hanna is the **Setting Proprietor** with **overall responsibility for child protection and safeguarding**.
- The **Setting Proprietor** will ensure that the policies and procedures of the setting, together with the statutory guidance, are fully implemented and sufficient resources and time are allocated to enable staff members to discharge their safeguarding responsibilities.
- The **Setting Proprietor** also recognises their responsibility to protect children under *section 26 of the Counter-Terrorism and Security Act 2015 (The Prevent duty)*
- Katie Tobutt is the **Designated Safeguarding Lead (DSL)**. The **Designated Safeguarding Lead** has the day-to-day responsibility for dealing with incidents relating to Safeguarding and Welfare Concerns are described in Appendix A.
- Ellen Hanna is the **deputy Designated Safeguarding Lead**. The DSL and ADSL meet regularly to discuss safeguarding and child protection within the setting.
- The **case manager for dealing with allegations** of abuse made against **the setting staff** is the **Setting Proprietor**. The **case manager for dealing with allegations against the Setting Proprietor** is the **Local Authority Designated Officer (LADO)**. The procedure for managing allegations is detailed in Appendix F.
- The **Proprietor and setting staff** are collectively responsible for ensuring that safeguarding arrangements are fully embedded within the setting's ethos and reflected in the setting's day-to-day practice.
- **All staff members, volunteers and external providers** know how to recognise signs and symptoms of abuse, how to respond to children who disclose abuse and what to do if they are concerned about a child.

## **Supporting children**

- We recognise that children who are abused or witness violence are likely to have low self-esteem and may find it difficult to develop a sense of self-worth. They may feel helpless, humiliated and some sense of blame. Our setting may be the only stable, secure and predictable element in their lives.
- We accept that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.
- Our setting will support all children by:
  - allowing time to listen to children in setting and provide early help
  - ensuring the content of the learning includes social and emotional aspects of learning
  - ensuring on-line safety is incorporated into our learning appropriate to the age of the children, enabling children and parents to learn about the risks of new technologies and social media and to use these responsibly. This includes teaching children how to stay safe on-line where appropriate.
  - ensuring that aspects of child protection are included in the learning to help children stay safe, recognise when they do not feel safe and identify who they might or can talk to
  - providing children with a number of appropriate adults to approach if they are in difficulties
  - supporting the child's development in ways that will foster security, confidence and independence
  - encouraging development of self-esteem and self-assertiveness while not condoning aggression or bullying
  - ensuring repeated bullying incidents, e.g. racist, homophobic, gender-based or disability-based bullying, are considered under child protection procedures
  - acknowledging that abuse can take place wholly online
  - liaising and working together with other support services and those agencies involved in safeguarding children
  - monitoring children who have been identified as having welfare or protection concerns and providing appropriate support
  - Ensuring that all staff have a clear understanding of the needs of the children they are working with and understand that whilst all children need to be protected some groups of children are potentially at greater risk of harm through additional vulnerabilities or circumstances.
  - Recognising that children or young people who identify as lesbian, gay, bi or trans (LGBT), or who are perceived by other children to be LGBT (whether they are or not) can be at greater risk. Being LGBT, or perceived to be, is not in itself an inherent risk factor for harm, but this group can be targeted by other children. Risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open, so as a setting we endeavour to reduce any additional barriers faced, and provide a safe space for them to speak out or share their concerns with members of staff.
- Our setting is a part of **Sussex Police Operation Encompass** (see Appendix B of this policy for further details) and we will support individual children as necessary when we receive a notification of an incident of domestic violence or abuse.

## **Child protection and safeguarding procedure**

We have developed a structured procedure in line with [Sussex Child Protection and Safeguarding Procedures \(online\)](#) 2022 which will be followed by all members of the setting community in cases of suspected abuse. This is detailed in Appendix B.

- In line with the procedures, the relevant Children's Services Duty and Assessment Team (SPOA) will be notified as soon as there is a significant concern.
- The name of the Designated Safeguarding Leads will be clearly advertised in the setting, with a statement explaining the setting's role in referring and monitoring cases of suspected abuse.
- We will ensure all parents and carers are aware of the responsibilities of staff members to safeguard and promote the welfare of children by publishing the policy and procedures on our website and by referring to them in our introductory setting materials.

## **Record keeping**

All child protection and welfare concerns will be recorded and kept in line with the East Sussex Safeguarding Children Partnership(ESSCP) Keeping Records of Child Protection and Welfare Concerns guidance.

The DSL will ensure that child protection files are kept up to date and that information will be kept confidential and stored securely.

Records will include:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome

The DSL will ensure that files are only accessed by those who need to see them and where files or content are shared, this will happen in line with information sharing advice and guidance.

We will continue to support any child leaving the setting about whom there have been concerns by ensuring that all appropriate information, including welfare and safeguarding concerns, is forwarded under confidential cover to the child's new setting / school as a matter of priority, and within 5 working days.

When a child is due to transfer to another setting the DSL will consider if it would be appropriate to share any information with the new setting in advance of the child leaving. For example, information that would allow the new setting to continue supporting children who have or have had a social worker and been victims of abuse and have that support in place for when the child arrives.

When a new child joins our setting, and there is a record of safeguarding or welfare concerns, we will ensure that this information is shared appropriately with the DSL and the Special Education Needs Coordinator (SENCO), as necessary

## **Staff induction, training and development**

- All new members of staff will be given induction that includes child protection training that includes the setting's Child Protection Policy and the setting's e-safety Policy. The induction of new staff will include a requirement to complete the online child protection training provided by the East Sussex Safeguarding Children Partnership (ESSCP). This training can be accessed from [East Sussex](#).
- All new staff will be given a copy of Part One of Keeping Children Safe in Education (KCSIE) contained in the Staff Handbook. Staff are also referred to Annex B of KCSIE, this is available on the Setting Team site.
- All new members of staff are expected to read the above-mentioned documents and to sign an acknowledgement of this.
- Each time Part One of KCSIE/Annex B is updated by the DfE, staff will be updated at a relevant staff training and update session. The latest version of Keeping Children Safe in Education (KCSIE) including Annex A is available on the Setting Team site.

- Every year, the Setting Safeguarding Lead with support of the early years will provide a whole-setting safeguarding training and update for all staff. This will include any changes to child protection legislation and procedures. If KCSIE has been updated since the last briefing this will be given to staff either as a hard copy or by electronic link and acknowledgement. The **Prevent** strategy – raising awareness, updates and refresher is part of this.
  - The yearly update will also include refresher training on managing and reporting of safeguarding concerns including child-on-child abuse, including sexting and other relevant issues (such as banter, sexual assaults, gender-based issues, sexual violence and sexual harassment)
  - The Setting Safeguarding Lead and the Designated Safeguarding Leads will undergo Child Protection training every two years. This ‘refresher’ for Designated Safeguarding Leads is organised by the East Sussex Safeguarding Children Partnership (ESSCP). The setting will retain a copy of the Certificate of Attendance for its records.
- The setting will maintain accurate records of staff induction and training.

### **Inter-agency working**

- We will develop and promote effective working relationships with other agencies, including agencies providing early help services to children, the police and Children’s Social Care.
- We will ensure that relevant staff members participate in multi-agency meetings and forums, including child protection conferences and core groups, to consider individual children.
- We will participate in serious case reviews, other reviews and file audits as and when required to do so by the East Sussex Safeguarding Children Partnership (ESSCP). We will ensure that we have a clear process for gathering the evidence required for reviews and audits, embedding recommendations into practice and completing required actions within agreed timescales.

### **Confidentiality, consent and information sharing**

- We recognise that all matters relating to child protection are confidential.
- The Setting Director or the Designated Safeguarding Lead will disclose any information about a child to other members of staff on a need-to-know basis only.
- All staff members must be aware that they cannot promise a child to keep secrets which might compromise the child’s safety or well-being.
- All staff members have a professional responsibility to share information with other agencies in order to safeguard children.
- All our staff members who come into contact with children will be given appropriate training to understand the purpose of information sharing in order to safeguard and promote children’s welfare.
- We will ensure that staff members are confident about what they can and should do under the law, including how to obtain consent to share information and when information can be shared without consent. This is covered in greater detail in Appendix B.

## **Safer workforce and managing allegations against staff and volunteers**

- We will prevent people who pose risks to children from working in our setting by ensuring that all individuals working in any capacity at our setting have been subjected to safeguarding checks in line with the statutory guidance ***Keeping Children Safe in Education: Statutory Guidance for Settings and Colleges.***
- Every job description and person specification will have a clear statement about the safeguarding responsibilities of the post holder.
- We will ensure that at least one member of every interview panel has completed safer recruitment training.
- We will ensure that agencies and third parties supplying staff provide us with written confirmation that they have made the appropriate level of safeguarding checks on individuals working in our setting. We will also ensure that any agency worker presenting for work is the same person on whom the checks have been made.
- External organisations can provide a varied and useful range of information, resources and speakers that can help our setting to enrich children's learning, but we will always give careful consideration to the suitability of any external organisations.
- Parents or other relatives of children or other visitors attending activities such as a parents evening or sports day will not be expected to provide any DBS or barred list checks. The Principal and DSL will decide case by case or event by event the level of supervision, if any, required for such persons.
- The Proprietor and DSL responsible for child protection are responsible for ensuring that our single central record is accurate and up to date.
- We have a procedure in place to handle allegations against members of staff and volunteers, including low-level concerns, no matter how small , in line with ***Keeping Children Safe in Education: Statutory Guidance for Settings and Colleges***  
This procedure is detailed in Appendix F of the setting policy.

## **Service and activity providers and work placement providers**

- We will ensure that service and activity providers are aware of our setting's child protection policy and procedures. We will require that employees and volunteers provided by these organisations use our procedure to report concerns.
- We will seek written confirmation that employees and volunteers provided by outside organisations and working with our children have been subjected to the appropriate level of safeguarding check in line with ***Keeping Children Safe in Education: Statutory Guidance for Settings and Colleges.*** If assurance is not obtained, permission to work with our children or use our setting premises may be refused.
- If we commission services from other organisations, we will ensure that compliance with our policy and procedures is a requirement.

## **Site security**

- All staff members have a responsibility to ensure our buildings and grounds are safe and for reporting concerns that may come to light.
- We check the identity of all visitors and volunteers coming into setting. Visitors are expected to sign in and out in the visitors' log and be accompanied in accordance with the setting's **Visitor Policy**. Any individual who is not known or identifiable will be challenged for clarification.
- The setting will not accept the behaviour of any individual, parent or anyone else, that threatens setting security or leads others, child or adult, to feel unsafe. Such behaviour will be treated as a serious concern and may result in a decision to refuse the person access to the setting site.

## **Whistle-blowing and complaints**

- We recognise that children cannot be expected to raise concerns in an environment where staff members fail to do so.
- We will ensure that all staff members are aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of colleagues. If necessary, they will speak with the Proprietor or with the Local Authority Designated Officer.
- Should staff not feel able to raise concerns with any of the aforementioned they can contact the NSPCC helpline on 0800 028 0285 or via [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or [Whistleblowing Advice Line NSPCC](#)
- We have a clear reporting procedure for children, parents and other people to report concerns or complaints, including abusive or poor practice.

## **Oversight, Management and Review of Safeguarding**

Little Tinkers is a proprietorial setting and as such the Governance of the setting lies with the proprietor.

**The proprietor with lead responsibility for safeguarding is Ellen Hanna** although the proprietor recognise that the safeguarding duties remain the responsibility of the proprietorial body as a whole.

The Proprietor regularly discuss safeguarding arrangements and review updates of statutory guidelines, as well as current concerns, referrals and inter-agency workings, as an integral part of their management of the setting. The Proprietor discuss safeguarding arrangements with the Setting Leadership Team including the Designated Safeguarding Leads.

The setting's child protection policies are reviewed annually in consultation with the Leadership Team to ensure there is a review of the effectiveness of the procedures and their implementation.

The setting proprietor will ensure that action is taken to remedy without delay any deficiencies and weaknesses identified in child protection arrangements.

## **Policy monitoring and review**

This policy, and accompanying Appendices, is monitored by the Proprietor of the setting and will be reviewed annually.

**Current review dated:01/09/2022**

**Next Review date: September 2023**

**Reviewed by: Katie Tobutt**

## **Linked policies and procedures**

The following policies and procedures are relevant for the child protection and safeguarding policy and procedure.

- Administration of Medicines Policy
- Anti-Bullying Policy
- Attendance Policy
- Behaviour Policy
- British Values Statement
- Missing Child Policy
- Complaints procedure
- Drug and Alcohol Policy
- Equalities and Disability Statement
- Health and Safety Policy and other linked policies and risk assessments
- Offsite Activities and Educational Visits Policy and risk assessments
- Safer Recruitment Policy
- Safeguarding - E-safety Policy (including IT and Social media) including the use of mobile phones
- Safeguarding - Keeping Records of Child Protection and Welfare Concerns
- Special Educational Needs and Disabilities Policy
- Staff Code of Conduct
- Whistle Blowing policy

## **APPENDIX A**

### **The role of the Designated Safeguarding Lead**

#### **Managing referrals**

- Refer cases of suspected abuse to East Sussex Children's Social Care and to the Police if a crime may have been committed, using the NPCC-[When to call the police](#) guidance to inform this decision.
- Liaise with the Setting Proprietor about child protection and safeguarding issues, especially ongoing enquiries under section 47 of the Children Act 1989.
- Act as a source of support, advice and expertise to staff members on matters of child protection and safeguarding concerns.
- Take responsibility for assessing if concerns raised should be considered **child protection concerns or welfare concerns**, advise the reporting member of staff accordingly and set up the appropriate recording protocols in line with setting procedures.
- Liaise with agencies providing early help services and coordinate referrals from the setting to targeted early help services for children in need of support.

#### **Record keeping**

- Keep written records of child protection and safeguarding concerns in line with East Sussex Safeguarding Children Partnership (ESSCP) guidance.
- Maintain a chronology of significant incidents for each child with safeguarding concerns.
- Ensure such records are kept confidentially and securely and separate from the child's learning record.
- As soon as a child with safeguarding concerns moves to another setting, liaise with the new setting's Designated Safeguarding Lead for information sharing. Ensure the child's stand-alone records are transferred to the new setting as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term.
- Where a parent/carer has expressed their intention to remove a child from the setting with a view to educating at home, the DSL will liaise with East Sussex [Elective Home Education](#) (EHE) Team to ensure that any safeguarding concerns (should there be any) are shared adequately with them, so as to inform next steps.
- **Inter-agency working and information sharing**
  - Cooperate with Children's Social Care for enquiries under section 47 of the Children Act 1989.
  - Attend, or ensure other relevant staff members attend, child protection courses, core group meetings and other multi-agency meetings, as required.
  - Liaise with other agencies working with the child, share information as appropriate and contribute to assessments.

## **Training**

- Undertake appropriate training, **updated every two years**, in order to
  - be able to recognise signs of abuse and how to respond to them, including special circumstances such as child sexual exploitation, female genital mutilation, cyber-bullying and mental health (see the [\*Sussex Child Protection and Safeguarding Procedures \(online\)\*](#) );
  - be update-to-date with the **Prevent** strategy. To be able to assess the risk of children being drawn into terrorism, including being drawn into support for extremist ideas that are part of terrorist activity. This will be based on and understanding shared with local partners of the potential risk in the local area;
  - understand the assessment process for providing early help and intervention, e.g. the East Sussex Safeguarding Children Continuum of Need guidance and tools and the early help planning processes;
  - have a working knowledge of how the local authority conducts initial and review child protection case conferences and contribute effectively to these;
  - be alert to the specific needs of children in need (as specified in section 17 of the Children Act 1989) and those with special educational needs.
- Organise **whole setting safeguarding and child protection training for all staff members annually** and provide regular ongoing updates throughout the year.

## **The role of the Setting Proprietor (Safeguarding)**

### **The Setting Proprietor with responsibility for safeguarding will**

- Ensure each member of staff has access to and understands the setting's child protection policy and procedures, including providing induction on these matters to new staff members.
- Ensure that whole-setting child protection training for all staff members is organised **every year**. Ensure staff members who have missed the setting's training cycle, receive it by other means, e.g. through the local authority (level one) or in-house training/update.
- Encourage a culture of listening to children and taking account of their wishes and feelings in any action the setting takes to protect them.
- Maintain accurate records of staff induction and training.

### **Awareness raising**

- Review the safeguarding and child protection policy and procedures annually.
- Make the child protection and safeguarding policy and procedures available publicly and raise awareness of parents that referrals about suspected abuse may be made and the role of the setting in any investigations that ensue.

### **Take lead responsibility for remedying any deficiencies and weaknesses identified in child protection arrangements.**

## APPENDIX B

### Child Protection and Safeguarding Procedures

#### Definitions

- **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children.
- **Children** are any people who have not yet reached their 18<sup>th</sup> birthday; a 16-year-old, whether living independently, in further education, in the armed forces or in hospital, is a child and is entitled to the same protection and services as anyone younger.
- **Child protection** is part of safeguarding and promoting the welfare of children and refers to activity undertaken to protect specific children who are suffering, or likely to suffer, significant harm.
- **Early help** means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years.
- **Harm** is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.
- **Safeguarding children** is the action we take to promote the welfare of children and protect them from harm. **Safeguarding and promoting the welfare of children** is defined in [Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children 2018](#) as:
  - protecting children from maltreatment;
  - preventing impairment of children's health and development;
  - ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
  - taking action to enable all children to have the best outcomes.
- **Significant harm** is the threshold that justifies compulsory intervention in the family in the best interests of the child. Section 31 of the Children Act 1989 states 'where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child.'

For more definitions, see [Sussex Child Protection and Safeguarding Procedures \(online\)](#).

#### Types of abuse and neglect (current definition from KCSIE)

##### Physical abuse

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

##### Emotional abuse

- the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

*Emotional abuse / continued over*

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

### **Sexual abuse**

- involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (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.
- **Child sexual exploitation** is also sexual abuse; it involves children and young people receiving something, for example accommodation, drugs, gifts or affection, as a result of them performing sexual activities, or having others perform sexual activities on them. It could take the form of grooming of children, e.g. to take part in sexual activities or to post sexual images of themselves on the internet.

### **Neglect**

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

### **Children with special educational needs (SEN) and disabilities**

- Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges and can be disproportionately abused by behaviours such as bullying. The setting recognises that additional barriers can exist when recognising abuse and neglect in this group of children. These can include:
  - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
  - 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.

### **Recognition - what to look for**

Staff should refer to the detailed information about the categories of abuse and risk indicators in the [Sussex Child Protection and Safeguarding Procedures \(online\)](#) for further guidance.

In an abusive relationship, the child may:

- appear frightened of their parent(s)
- act in a way that is inappropriate to their age and development, although full account needs to be taken of different patterns of development and different ethnic groups

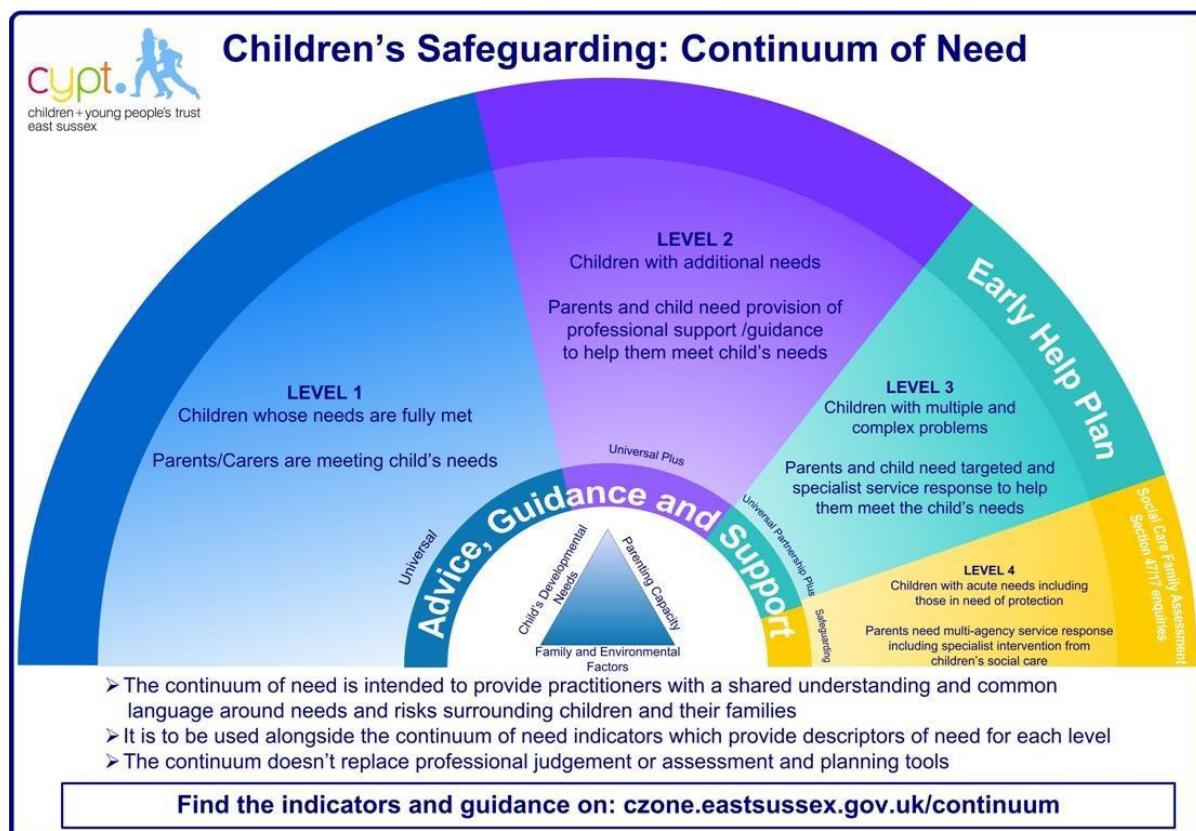
In an abusive relationship, the parent or carer may:

- persistently avoid child health services and treatment of the child's illnesses
- have unrealistic expectations of the child
- frequently complain about or to the child and fail to provide attention or praise
- be absent
- be misusing substances
- persistently refuse to allow access on home visits by professionals
- be involved in domestic violence and abuse
- be socially isolated

Serious case reviews have found that parental substance misuse, domestic abuse and mental health problems, sometimes referred to as the 'toxic trio', if they coexist in a family could mean significant risks to children. Problems can be compounded by poverty, frequent house moves or eviction.

### Safeguarding children continuum of need

- The Safeguarding Children Continuum of Need has been developed so that everyone working with children in East Sussex has a common language for understanding the needs and risks surrounding children and their families. It is important that all members of staff are familiar with it.
- 4.2 The Continuum of Need shows that a child's or family's additional needs can be on a range from one to four, and that needs can shift from early help to child protection and back to preventative early help. It covers children whose needs are increasing as well as children whose needs are decreasing after Children's Social Care involvement. The Continuum of Need will help practitioners to identify the right level of support for the child in the least intrusive way while keeping the child safe.



## **The Continuum of Need identifies four levels of need**

### **Level 1**

- children who are achieving expected outcomes
- their needs are met by their parents and by accessing universal services such as health and education
- they do not have additional needs

### **Level 2**

- children with additional needs
- parents need professional support or guidance to help them meet their children's needs
- extra support can usually be provided by agencies that already know the family, e.g. their pre-setting, setting or college or NHS community services such as Health Visiting

### **Level 3**

- children with multiple and complex needs
- children and parents need targeted early help or specialist services to meet the children's needs
- needs are met through multi-agency support and the use of Early Help Plans

### **Level 4**

- children with acute needs, including those in need of protection
- children and parents need multi-agency responses which include specialist intervention from Children's Social Care through the family assessment process

By referring to the Continuum of Need and indicators, the setting can identify when assessment and support for a child and family need 'stepping up' to a referral to Social Care and when the needs of a child and their family have been reduced enough for them to be 'stepped down' to early help services.

## **What action to take if you have concerns about a child**

- When concerned about the welfare of a child, staff should always act in the best interests of the child.
- Staff should always speak to the DSL or deputy DSL about any concern with a child.
- If staff have any concerns about a child's welfare, they should act on them immediately.
- Staff should not assume a colleague or another professional will take action.
- The DSL or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the DSL (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from SPoA. In these circumstances, any action taken should be shared with the DSL (or deputy) as soon as is practically possible.

## **Dealing with a disclosure made by a child – advice for all members of staff**

If a child discloses that he or she has been abused in some way, the member of staff or volunteer should follow this guidance.

- Listen to what is being said without displaying shock or disbelief.
- Only ask questions when necessary to clarify.
- Accept what is being said.
- Allow the child to talk freely – do not put words in the child's mouth.
- Reassure the child that what has happened is not his or her fault.
- Do not make promises that you may not be able to keep.
- Do not promise confidentiality – it may be necessary to refer the child to Children's Social Care.
- Stress that it was the right thing to tell.

- Do not criticise the alleged perpetrator.
- Explain what has to be done next and who has to be told.
- Inform the Designated Safeguarding Lead without delay.
- Complete the child protection incident/welfare concern form and pass it to the Designated Safeguarding Lead.
- Dealing with a disclosure from a child and safeguarding issues can be stressful. Consider seeking support for yourself and discuss this with the Designated Safeguarding Lead.

### **Discussing concerns with the family and the child – advice for the DSL**

- **In general, the DSL will discuss any concerns the setting may have with the child's parents.** They need to know that the setting has concerns about their child. However, you should not discuss your concerns if you believe that this would place the child at greater risk or lead to loss of evidence for a police investigation.
- **If the DSL makes the decision not to discuss the concerns with the child's parents or carers** this must be recorded in the child's child protection file with a full explanation for your decision.
- **It is important to consider the child's wishes and feelings,** if age appropriate, as part of planning what action to take in relation to concerns about their welfare.
- When talking to children, account must be taken of the age of the child, level of understanding and preferred language, which may not be English. It is also important to consider how a disabled child may need support in communicating.
- Talking to a child will also depend on the substance and seriousness of the concerns. The DSL may need to seek advice from Children's Social Care or the police to ensure that neither the safety of the child nor any subsequent investigation is jeopardised.
- If concerns have arisen as a result of information given by a child, it is important that the child is reassured but not to promise confidentiality.

**It is expected that concerns are discussed with the parents and the setting seek their agreement to making a referral to Children's Social Care, unless the setting consider that this would place the child at increased risk of significant harm.**

**Parents' consent is NOT required to make a referral if it is considered the child is in need of protection,** although parents will ultimately be made aware of which organisation made the referral.

If parents refuse to give consent to a referral but you decide to continue, the setting will make this clear to Children's Social Care.

**If the setting decides to refer the child without the parents' consent, this must be recorded together with a full explanation for the decision.**

When making a referral it should be agreed with Children's Social Care what the child and parents will be told, by whom and when.

See section below for guidance on information sharing and consent.

### **Early help for children and families**

- Most parents can look after their children without the need of help other than from their family or friends. However, some parents may need additional help from our setting or other services such as the NHS. Providing help early is more effective in promoting the welfare of children than reacting later.
- Our setting will work together with other agencies to provide a coordinated offer of early help, in line with **Working Together to Safeguard Children** and local guidance, to any child who needs it.
- We will pool our knowledge within the setting and with other agencies about which families or children need additional support in a range of ways so that we can work out how best to help them. We will use the **East Sussex Safeguarding Continuum of Need** to identify what level of need the child or their family has.

- We will work closely with targeted early help services and Children's Social Care if we feel families need more support and input, or children are at risk of harm, and we will continue to provide support if other services are also needed.
- We will work closely with targeted early help services and Children's Social Care if we feel families need more support and input, or children are at risk of harm, and we will continue to provide support if other services are also needed.
- We will talk to the family about referral to a targeted early help service and explain that there may be a need to involve other professionals, including talking to a social worker about our concerns. We will seek the family's consent for the referral.
- If the family does not consent to an early help service, we will make a judgement about whether the needs of the child will escalate or the child will become unsafe without help. If our judgement is that the needs or concerns will escalate, then we will contact the Children's Social Care Duty and assessment Team in our area for a consultation with a qualified social worker in order to make a shared decision about whether the level of concerns calls for a referral to Children's Social Care.

### **Children's-social-care-led responses to concerns about a child**

- Once Children's Social Care has accepted our referral as needing a social-care-led response (Level 4 of the Continuum of Need), we will cooperate with Children's Social Care and the police in any emergency action they take using their legal powers for immediate protection of the child.
- We will participate in any multi-agency discussions (strategy discussions), if invited to do so, and share information about the child and their family to plan the response to concerns.
- We will ensure that a relevant staff member participates in all initial and review child protection conferences, if we are invited to attend. The staff member will work together with other agencies to discuss the need for and agree to an outcome focused child protection plan and will ensure that the child's wishes, and views are considered in their own right in planning.
- If we are members of the core group to implement a child protection plan, we will ensure a relevant staff member participates in all core group meetings.
- We will ensure that we complete all actions allocated to us as part of the outcome focused plan, whether a child protection plan or a family support plan, in a timely way.
- We will continue to monitor children once their plans are ended to ensure that they are supported and kept safe.

### **Information sharing and consent**

- It is essential that people working with children can confidently share information as part of their day-to-day work. This is necessary not only to safeguard and protect children from harm but also to work together to support families to improve outcomes for all.
- The setting may have to share information about parents or carers, such as their medical history, disability or substance misuse issues, for investigations of child abuse carried out by Children's Social Care.
- We will proactively seek out information as well as sharing it. This means checking with other professionals whether they have information that helps us to be as well informed as possible when working to support children.
- The Data Protection Act 2018 and the General Data Protection Regulations 2018 are not barriers to sharing information and do not change duties under safeguarding. They are there to ensure that personal information is managed in a sensible way and that a balance is struck between a person's privacy and public protection.
- We should be sharing any concerns we have with parents at an early stage, unless this would put a child at greater risk or compromise an investigation. Parents need to know what our responsibilities are for safeguarding and protecting children and that this involves sharing information about them with other professionals.

- We will be clear about the purpose of sharing confidential information and only share as much as we need to achieve the purpose.
- We will try to get consent from parents (or the child, if they have sufficient understanding<sup>1</sup>) to share information, if possible. However, we do not need consent if we have serious concerns about a child's safety and well-being. If we decide to share information without consent, we will record this with a full explanation of the decision.
- **Consent will not be sought from parents or carers** (or the child, if they have sufficient understanding), if:
  - it would place a child at increased risk of harm; or
  - it would place an adult at risk of serious harm; or
  - it would prejudice a criminal investigation; or
  - it would lead to unjustified delay in making enquiries about allegations of significant harm to a child; or
  - required by law or a court order to share information.
- **Consent is not necessary** in cases where Children's Social Care are making child protection enquiries under section 47 of the Children Act 1989. Information needs to be shared with Children's Social Care; staff members must make sure to record what information has been shared.
- **Consent is necessary**, for:
- Children's Social Care investigations or assessments of concerns under section 17 of the Children Act 1989. Children's Social Care will assume that we have obtained consent from the parents to share information unless we make them aware that there is a specific issue about consent. This must be discussed with a social worker in the Single Point of Advice.
- Early help (level 3) referrals and assessments. Assessments are undertaken with the agreement of the child and their parents or carers.
- Where there is any doubt about the need for seeking consent, advice will be sought from the DSL or from the Children's Social Care Single Point of Advice.
- A record will be made of the decision to share information, with or without consent, and the reasons for it. Equally a record will be made of any decision not to share information including the reason for this.

## **Record keeping**

- Good record keeping is an important part of the setting's accountability to children and their families and will help us in meeting our key responsibility to respond appropriately to welfare concerns about children.
- All concerns, discussions and decisions made, and the reasons for those decisions, will be recorded in writing. Information will be kept confidential and stored securely.
- Records will include:
  - a clear and comprehensive summary of the concern;
  - details of how the concern was followed up and resolved;
  - a note of any action taken, decisions reached and the outcome.
- Records should be factual, accurate, relevant, up to date and auditable. They should support monitoring, risk assessment and planning for children and enable informed and timely decisions about appropriate action to take.

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<sup>1</sup> Children aged 12 or over may generally be expected to have sufficient understanding. Younger children may also have sufficient understanding. All people aged 16 and over are presumed, in law, to have the capacity to give or withhold their consent, unless there is evidence to the contrary.

- All staff members, volunteers, and activity providers should ensure that they record and report safeguarding concerns in line with guidance from the East Sussex Safeguarding Children Partnership (ESSCP) – [Keeping Records of Child Protection and Welfare Concerns: Guidance for Early Years Settings, Settings and Colleges](#).
- The Safeguarding Lead will ensure that records are maintained appropriately for children with safeguarding concerns and that stand-alone files are created and maintained in line with requirements of the above guidance.

### **Professional challenge and disagreements**

- Working with children and families, and in particular child protection work, is stressful and complex, as well as involving uncertainty and strong feelings. To ensure that the best decisions are made for children, we need to be able to challenge one another's practice.
- We will promote a culture within our setting that enables all staff members to raise, without fear of repercussions, any concerns they may have about the management of child protection in the setting. This may include raising concerns about decisions, action and inaction by colleagues about individual children. If necessary, staff members will speak with the Designated Safeguarding Lead, the Proprietor or with the Local Authority Designated Officer.
- Cooperation across agencies is crucial; professionals need to work together, using their skills and experience, to make a robust contribution to safeguarding children and promoting their welfare within the framework of discussions, meetings, conferences and case management.
- If there are any professional disagreements with practitioners from other agencies, the Designated Safeguarding Lead or the Setting Proprietor will raise concerns with the relevant agency's safeguarding lead in line with guidance in the [Pan-Sussex Child Protection and Safeguarding Procedures](#).
- If the setting disagrees with the child protection conference chair's decision, the Designated Safeguarding Lead or the Setting Proprietor will consider whether they wish to challenge it further and raise the matter with Children's Service Head of Safeguarding.

## **APPENDIX C**

### **Specific Safeguarding Issues**

#### **Introduction**

Annex B of Keeping Children Safe in Education September 2022 identifies a number of specific safeguarding issues, listed below, which all staff need to be aware of. All staff must read Annex B of Keeping Children Safe in Education September 2022 to ensure that they can identify any indicators of any of these possible issues and raise them with the DSL where they have a concern about a child at the setting.

- Child abduction and community safety incidents
- Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE)
- County lines
- Children and the court system
- Children missing from education
- Children with family members in prison
- Cybercrime
- Domestic abuse
- Homelessness
- Mental health
- Modern Slavery and the National Referral Mechanism
- Preventing radicalisation, the Prevent duty and the Channel Process
- Sexual violence and sexual harassment between children in settings and colleges
- Serious Violence
- So-called ‘honour’-based abuse (including Female Genital Mutilation and Forced Marriage)

There is mandatory reporting duty for teachers with regards to FGM so staff should take careful note of that when reading Annex B of Keeping Children Safe in Education.

Within this appendix there is further local information, in addition to the information provided in Annex B of Keeping Children Safe in Education September 2022, on the following issues

- Children Missing from Education
- Domestic abuse
- Children with medical conditions
- Self-Harm and suicidal behaviour

Child on child abuse is dealt with separately in Appendix D of this policy.

Further information about preventing extremism and radicalisation (the Prevent Duty) is provided in Appendix E of this policy.

#### **Children Missing from Education (CME)**

The setting views absence as an issue related to both safeguarding and learning outcomes.

The setting holds, so far as is reasonably possible, more than one emergency contact number for each child. Patterns of children missing education, particularly repeatedly, can be 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 the setting's unauthorised absence and children missing from education procedures. It is essential that they are assiduous in their prompt completion of attendance registers, liaise closely with the setting administrator to resolve any unexplained absences, and report any concerns about absence to the DSL.

A relatively short length of time a child is missing does not reduce risk of harm to that child, and all absence or non-attendance is considered with other known factors or concerns.

On a day-to-day basis the setting administrator follows up any unexplained absences. The Proprietor monitors registers for patterns of absence.

The setting notifies the CME team at ESCC when a child leaves the setting and their destination setting is unknown or the setting has been informed that the child will be home-educated (receive *Education Otherwise*). ESCC have a procedure to follow for all children when they leave at non-phase transfer dates.

See:

- ***Children Missing From Setting Policy***
- ***Attendance policy***
- ***Admissions and Attendance Register Policy***

## **Domestic Abuse**

Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Operation Encompass is coordinated by Sussex Police. It helps police and settings work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the setting, via a secure email, before the child or children arrive at setting the following day. This ensures that the setting has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs.

When approaching conversations with children or adults about domestic violence and abuse we will do so in line with the [ESCC Domestic Abuse Toolkit: Supported Conversations with Young People and their Carers](#)

## **Children with Medical Conditions**

Children with medical conditions will be supported in accordance with the **Medicines and Children with Medical Conditions Policy** and the guidance **Supporting Childs at Setting with Medical Conditions 2015**.

Most ongoing conditions will require an individual healthcare plan, unless it is agreed that this would be inappropriate and disproportionate.

The healthcare plan will be shared with staff as necessary, to ensure that staff are aware of what arrangements are in place, as well as any emergency procedures.

## **Self-Harm and Suicidal Behaviour**

Self harm, self-mutilation, eating disorders, suicide threats and gestures by a child must always be taken seriously and may be indicative of a serious mental or emotional disturbance. We will make use of the ESCC [Self-harm Toolkit](#) to support our practice in this area.

The DSL will always make onward referral to mental health specialist services or Children's Social Care, in line with the Pan-Sussex Child Protection and Safeguarding Procedures (section 14)

If a young person's presentation at the Emergency Department represents a safeguarding concern, then the safeguarding team at the hospital will raise this through their own safeguarding processes and SPOA will be informed. In this respect not all presentations at the Emergency Department will automatically trigger a referral to SPOA, so if on receipt of a care plan from the hospital further concerns emerge, either from existing contextual information the setting has, or from new information shared by the young person, then we will follow our usual safeguarding processes and consider making a referral to SPOA.

Further information on the local procedures in response to the above issues can be found within section 14 of the [Pan-Sussex Child Protection and Safeguarding Procedures](#).

## **The use of 'Reasonable Force'**

There are circumstances when it will be appropriate for staff to use reasonable force to safeguard children. The term 'reasonable force' covers the 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 children or blocking a child's path, or active physical contact such as leading a child by the arm out of the classroom.

When managing incidents of reasonable force and restrictive physical interventions the setting will consider whether to liaise with the LADO, where it is thought that the physical intervention may lead to an allegation.

## **APPENDIX D**

### **Child on child abuse**

**At this setting we take a zero-tolerance approach to child on child abuse.**

Throughout this appendix reference will be made to the terms perpetrator and victim. These terms appear within DfE guidance such as Keeping Children Safe in Education and are easily understood. These terms are being used within this document to aid the flow of sentences however when discussing incidents of child on child abuse with children, parents or carers the term perpetrator will be replaced with ‘child who has displayed X behaviour’ and victim will be replaced with ‘child who has experienced X behaviour’.

All staff will be aware that children can abuse other children (referred to as child on child abuse) and that it can happen both inside and outside of setting and online. It is important that all staff recognise the indicators and signs of child on child abuse and know how to identify it and respond to reports.

Child on child abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery);
- upskirting, which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element)

All staff understand the importance of challenging inappropriate behaviours between children, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

All staff understand that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of setting staff may overhear a conversation that suggests a child has been harmed or a child’s own behaviour might indicate that something is wrong. If staff have any concerns about a child’s welfare, they will act on them immediately rather than wait to be told.

The initial response to a report of child on child abuse from a child is incredibly important. How we respond to a report can encourage or undermine the confidence of future victims of child on child abuse to report or come forward.

Staff understand that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse.

Staff will be mindful that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity, and/or sexual orientation.

All staff will reassure victims that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the setting will not be downplayed and will be treated equally seriously. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report.

All staff understand, that even if there are no reports in the setting of child on child abuse it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important for staff to speak with the DSL or a DDSL if they have any concerns regarding child on child abuse.

If an allegation of child on child abuse is made:

- The initial response to a report from a child is important. All victims will be reassured that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report.
- Staff will record the disclosure and inform the DSL.
- The DSL will assess the information and identify appropriate outcomes to the incident, which may include setting-based support or interventions, and or referrals to other agencies, as necessary, such as SPoA, Children's Social Care, CAMHS and the Police (if the allegation involves a potential criminal offence).
- Where it is necessary to contact the police we will explain to those children involved that the law is in place to protect children and young people rather than to necessarily criminalise them, and this will be explained in such a way that avoids alarming or distressing them.
- When responding to a disclosure of child on child abuse the wishes of the victim, in terms of how they want to proceed, will be taken into account. This is especially important in the context of sexual violence and sexual harassment. Victims will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the setting's duty and responsibilities to protect other children.
- Where an incident has occurred within the setting then the time and location will be identified, and a risk assessment completed to make the location safer.
- Any risk assessments/support plans devised will be shared with staff within the setting, as necessary, to ensure that staff are aware of the additional measure in place to safeguard those children.
- Alongside actions to provide protection and support to both victims and perpetrators of child on child abuse, where appropriate, they may also need to be managed through the setting behaviour or anti bullying policies
- All incidents of child on child abuse will be categorised and recorded by the nature of the incident i.e. bullying (including the type such as cyber, racial, biphobic, transphobic and homophobic etc), physical abuse (identifying the specifics: hitting, kicking etc) or a Harmful Sexual Behaviour or other specifics such as sexting/sharing nudes and semi-nudes or whether the incident was potentially criminal).

The setting will minimise the risk of child on child abuse by:

- Challenging behaviours, such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.
- Addressing any inappropriate behaviour (even if it appears to be relatively innocuous) is an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.
- Challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images.
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female childs, and initiation or hazing type violence with respect to boys, whilst at the same time recognising that any of these issues can affect any childs regardless of their gender.
- Ensuring our whole setting approach to safeguarding and preventive learning helps to educate childs about appropriate behaviour and consent.
- Ensuring childs are aware of the different ways in which they can speak with a trusted adult in the setting, either directly or through the on-line portal which is monitored by the DSL.
- Ensuring childs are aware of the different ways in which they can speak with an adult outside of the setting through agencies such as Child Line or the NSPCC.
- Ensuring that staff are aware of child on child abuse and maintain an attitude of ‘it could happen here’, as they do with all areas of safeguarding.
- Ensuring that staff are trained to understand that a child harming another child could be a sign that the child is being abused themselves.

### **Sexual violence and sexual harassment**

Sexual violence and sexual harassment between children is an element of child on child abuse which requires particular consideration due to the potentially criminal nature of incidents. As with other areas of child on child abuse these types of behaviours and incidents may occur within the community, outside of the setting day, or indeed within the setting premises, during the setting day. In either instance the abuse could be occurring face to face or online. In many cases abuse will take place concurrently via online channels and in daily life.

Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends our setting as well.

### **Sexual harassment**

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of setting. 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 (the setting will consider when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim).
- displaying pictures, photos or drawings of a sexual nature;
- upskirting;
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - consensual and non-consensual sharing of nude and semi-nude images and videos;
  - sharing of unwanted explicit content;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media;
  - sexual exploitation; coercion and threats, and
  - coercing others into sharing images of themselves or performing acts they're not comfortable with online.

**All child on child abuse is unacceptable and will be taken seriously.**

## APPENDIX E

### Preventing extremism and radicalisation

All setting's and schools are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent Duty.

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk is all part of our whole setting approach to safeguarding.

When approaching this area of work our setting uses the following accepted Governmental definitions of extremism, radicalisation and terrorism:

- **Extremism** is the vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. 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 associated with terrorist groups.
- **Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no place for extremist views of any kind in our setting, whether from internal sources, children or staff, or external sources - setting community, external agencies or individuals.

Any prejudice, discrimination, or extremist views, including derogatory language, displayed by children or staff will always be challenged and, where appropriate, dealt with in line with our Behaviour Policy for children and the Code of Conduct for staff.

We are aware that technology is a significant component of many safeguarding and wellbeing issues and that children are at risk of being exposed to illegal, inappropriate or harmful content including radicalisation and extremism online. As such the setting will ensure that children are safe from terrorist and extremist material when accessing the internet in setting by establishing appropriate levels of filtering. For further information please see our Online Safety policy.

We will promote the values of democracy, the rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs.

We will teach and encourage children to respect one another and to respect and tolerate difference, especially those of a different faith or no faith.

We will ensure that all our teaching approaches help our children build resilience to extremism and give children a positive sense of identity through the development of critical thinking skills.

We will ensure that all our staff are equipped to recognise extremism and are skilled and confident enough to challenge it.

We will be flexible enough to adapt our teaching approaches, as appropriate, to address specific issues to become even more relevant to the current issues of extremism and radicalisation

#### **As part of our whole setting safeguarding responsibilities setting staff will be alert to:**

- Disclosures by children of their exposure to the extremist actions, views, or materials of others outside of setting, such as in their homes or community groups.
- Graffiti symbols, writing or artwork promoting extremist messages or images.
- Childs accessing extremist material online, including through social networking sites.
- Parental reports of changes in behaviour, friendship or actions and requests for assistance.
- Childs voicing opinions drawn from extremist ideologies and narratives.

- Use of extremist or ‘hate’ terms to exclude others or incite violence.
- Intolerance of difference, whether secular or religious or, in line with our equalities policy, views based on, but not exclusive to, gender, disability, homophobia, race, colour or culture.
- Attempts to impose extremist views or practices on others.
- Anti-Western or Anti-British views.

### **External speakers**

We encourage the use of external agencies or speakers to enrich the experiences of our children; however, we will positively vet those external agencies, individuals or speakers who we engage to provide such learning opportunities or experiences for our children.

Our setting will assess the suitability and effectiveness of input from external agencies or individuals to ensure that:

- Any messages communicated to children are consistent with the ethos of the setting and do not marginalise any communities, groups or individuals
- Any messages do not seek to glorify criminal activity or violent extremism or seek to radicalise children through extreme or narrow views of faith, religion or culture or other ideologies
- Activities are properly embedded in the learning and clearly mapped to schemes of work to avoid contradictory messages or duplication
- Activities are matched to the needs of the children

We recognise, however, that the ethos of our setting is to encourage children to understand opposing views and ideologies, appropriate to their age, understanding and abilities, and to be able to actively engage with them in informed debate, and we may use external agencies or speakers to facilitate and support this.

### **Reporting concerns**

We are aware of the potential indicating factors that a child is vulnerable to being radicalised or exposed to extreme views, including peer pressure, influence from other people or the internet, bullying, crime and anti-social behaviour, family tensions, race/hate crime, lack of self-esteem or identity, prejudicial behaviour and personal or political grievances.

- All concerns will be reported to the DSL.
- All concerns will be fully investigated and responded to from a safeguarding perspective, alongside, where needed, the Behaviour Policy/Code of Conduct.
- Parents/carers will be contacted, and the concern discussed in detail, aiming to identify motivating factors, any changes in circumstances at home, parental views of the incident.
- If a crime has been committed then the police will be contacted.
- If the setting are concerned that someone is vulnerable to radicalisation, we will submit a [Prevent referral form](#). This referral is screened by the police Prevent team to determine if the young person is vulnerable to being drawn into terrorism.
- If a vulnerability is identified the case will be discussed at the local ‘Channel’ meeting - a voluntary programme through which individuals consent to receive support to address their vulnerabilities and reduce the risk to them.
- The setting will have a representative at these meetings.

### **Safer Recruitment**

The arrangements for recruiting all staff and volunteers, to our setting will follow guidance for safer recruitment. Within this we will be alert to the possibility that people may seek to gain positions within our setting to unduly influence our settings’ character and ethos. We are aware that such people seek to limit the opportunities for our children thereby rendering them vulnerable to extremist views and radicalisation as a consequence.

### **Other measures to reduce risk**

If the setting premises are used for non-setting activities we will ensure due diligence around those activities to ensure that these do not conflict with the Prevent Duty.

The Setting Proprietor (safeguarding) will complete Prevent Training. Whole setting safeguarding training will include Prevent.

The ongoing whole setting approach to fulfilling the Prevent Duty will be informed by assessing the risk which will take into account the local context and the child demographic. This will determine the level and frequency of any additional training as well as learning content or interventions for groups or individual children.

## APPENDIX F

### Procedure for managing allegations of abuse made against setting staff members

- The setting takes seriously all allegations of abuse made against staff members, including volunteers, and will investigate them in line with the statutory guidance, [Keeping Children Safe in Education: Statutory Guidance for Settings and Colleges](#), and the [Sussex Child Protection and Safeguarding Procedures \(online\)](#)
- The process described below is a summary of the procedure described in the above documents. The case manager for the investigation should refer to them for details.
- **The procedure applies to all adults working in the setting or providing a service on behalf of the setting to our children either within or outside setting premises**, i.e. all permanent, temporary staff, volunteers, contractors and external service or activity providers (**collectively referred to as staff or staff members** in this procedure).
- The allegations management procedure will be used in all cases where it is alleged that a staff member, 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;
  - behaved towards a child or children in a way that indicates that they would pose a risk of harm if they work regularly or closely with children.
  - behaved or may have behaved in a way that indicates they may not be suitable to work with children
- Allegations may arise in a number of ways, for example a report from a child, a complaint from a parent, or a concern raised by another adult within the setting. An allegation may concern someone's behaviour or actions within their job or a voluntary activity, or within their family or private life.

### Any concerns will be considered in the context of the four types of abuse

- Concerns include inappropriate relationships between adults and children. For example:
  - a sexual relationship between a child under 18 and an adult in a position of trust with them, even if the relationship may appear to be consensual;
  - grooming, i.e. meeting a child under 16 with intent to commit a relevant offence (section 15 of the Sexual Offences Act 2003);
  - other behaviour that gives rise to concerns, such as possession of abusive images of children or inappropriate contact online, inappropriate messages, gifts or socialising with children.
- If an allegation or concern arises about a staff member outside of their work with children, and this may present a risk to children for whom the staff member is responsible, the general principles outlined in these procedures will still apply.

### Roles and responsibilities

- **Anyone who has concerns** about, or has received an allegation about, the behaviour of a staff member **needs to report the concerns immediately to the Setting Proprietor**.
- Should the allegation be made against the Proprietor, this should be reported following the flowchart at the end of Appendix F of this policy and make the appropriate contact direct.
- **The Setting Proprietor will act as the case manager** for investigations of allegations and liaise with the LADO.
- **The Local Authority Designated Officer (LADO) will act as the case manager** if the allegation is made against the Proprietor.
- **The LADO** is involved in the overall management and oversight of individual cases. They will provide advice and guidance to the case manager, liaise with the police and other agencies and monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

## **Supporting people**

- The setting together with Children’s Social Care and the police, if they are involved, will consider the impact on the child concerned and provide support as appropriate.
- The Setting Proprietor will ensure that the child and family are kept informed of the progress of the investigation.
- The staff member who is the subject of the allegation will be advised to contact their union, professional association or a colleague for support.
- The Setting Proprietor will appoint a named representative to keep the staff member updated on the progress of the investigation; this will continue during any police or section 47 investigation or disciplinary investigation.
- The legislation imposing restrictions makes clear that “publication” of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. “Publication” includes “any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public”. This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

## **Record keeping**

- The case manager will keep a clear and comprehensive summary of the case record and provide a copy to the accused staff member. A copy of the record should also be given to the LADO.
- The record will include details of how the allegation was investigated and resolved and the decisions reached. It will be completed in collaboration with the LADO.
- Details of allegations that are found to be malicious will be removed from personnel records.
- In the case of all other allegations, the summary will be placed in the staff member’s personnel file and kept until the person reaches retirement age or for a period of 10 years from the date of the allegation, if that is longer.

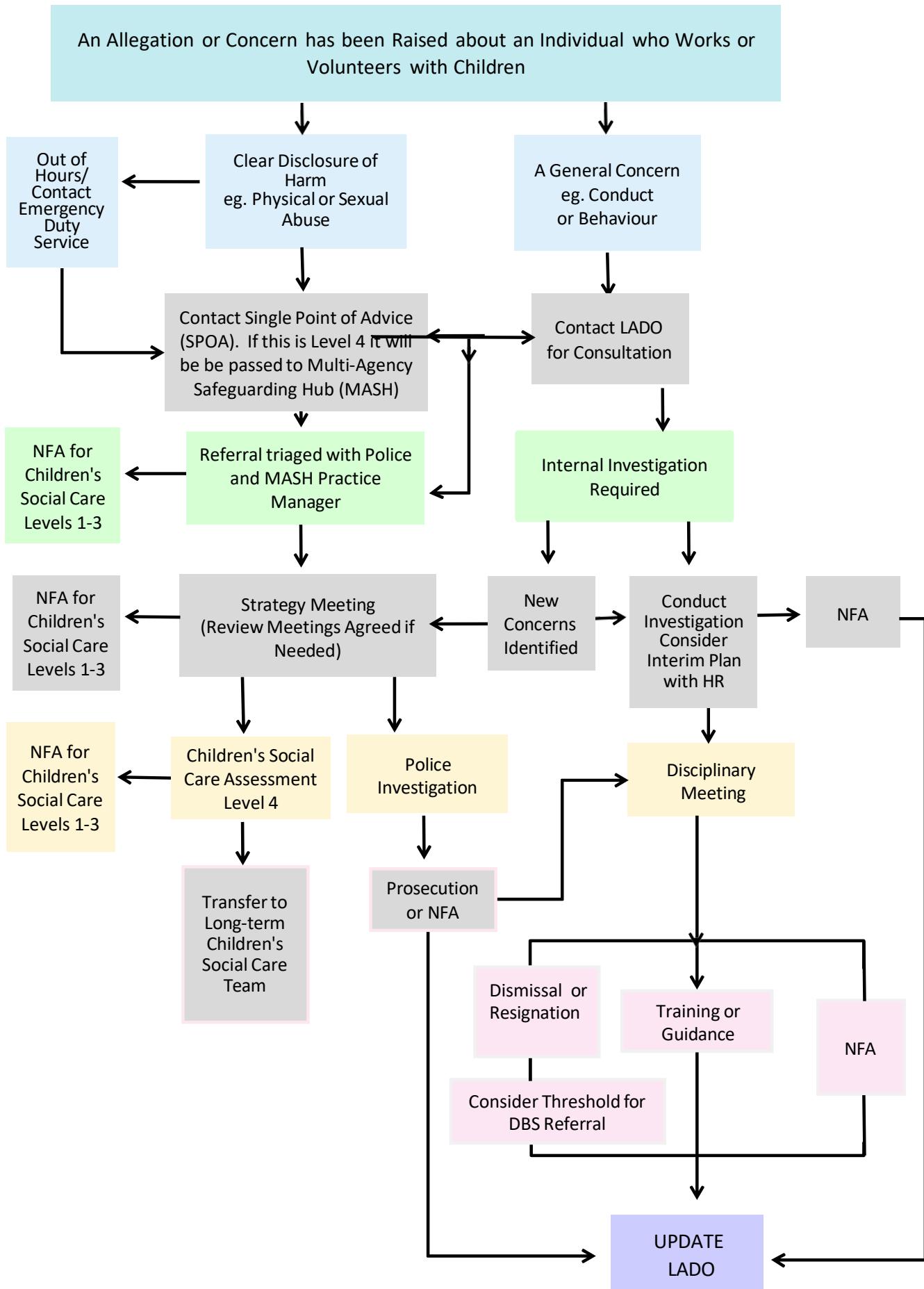
## **References for staff members following an investigation**

- If the allegation was proven to be malicious, false or unsubstantiated, it will not be included in any references for the staff member.
- A history of repeated concerns or allegations which have all been found to be malicious, false or unsubstantiated will also not be included in any references.

## **Informing the Disclosure and Barring Service (DBS)**

- The LADO will discuss with the case manager whether the setting will refer the staff member to the DBS
- **It is a legal requirement for setting to refer to the DBS anyone**
  - who has harmed, or is likely to harm, or poses a risk of harm to a child;
  - if there is reason to believe that they have committed one of a number of listed offences (as set out in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009), and have been removed from working in paid or unpaid regulated activity or would have been removed had they not left.

# Managing Allegations Flowchart (East Sussex)



## **Procedure for managing low-level concerns**

As part of our whole setting approach to safeguarding, we promote an open and transparent culture in which all concerns about all adults working in or on behalf of the setting (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. This will encourage an open and transparent culture; enable our setting to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the setting are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the setting.

If anyone has a ‘low-level’ concern this does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set for more serious concern (see section above). A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the setting may have acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, but does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- Being over friendly with children;
- Having favourites;
- Taking photographs of children on their mobile phone;
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Using inappropriate sexualised, intimidating or offensive language.
- Humiliating children.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns, including those which do not meet the allegation/harm threshold, are shared responsibly with the Principal (this should include self-referral) so that they can be recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of setting and schools from becoming the subject of potential false low-level concerns or misunderstandings.

If the concern has been raised via a third party, the Proprietor will collect as much evidence as possible by speaking directly to the person who raised the concern, unless it has been raised anonymously and to the individual involved, along with any witnesses.

Where a low-level concern arises about supply staff or contractors, their employer will be notified so that any potential patterns of inappropriate behaviour can be identified.

If there is ever any doubt as to whether information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, then the LADO will be consulted.

To ensure that there is clarity about how staff should behave, and to avoid inadvertent or thoughtless behaviour, staff should ensure that they have fully read and understood the Staff Code of Conduct.

### **Record keeping**

- *All low-level concerns should be recorded in writing.*
- *Setting's and schools can decide where these records are kept.*
- *Records will be reviewed so that potential patterns of concerning behaviour can be identified. Where a pattern of such behaviour is identified, the setting or college should decide on a course of action through its disciplinary procedures.*
- *It is for setting's and schools to decide how long they retain such information.*