



**Safeguarding
Children Board**

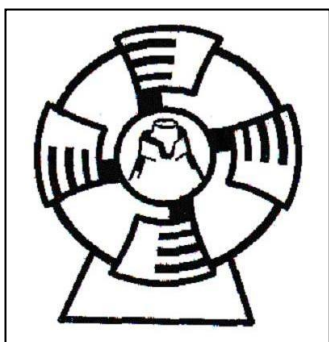


***An Daras Multi-Academy Trust
Windmill Hill Academy***

CHILD PROTECTION & SAFEGUARDING POLICY

For Schools and Education Establishments in Cornwall

Adopted: January 2015



An Daras
Multi Academy Trust



Review/changes to document

Updates to this document will be identified below. Please discard any previous document.

<u>Date of Reviewed Document</u> (as on document cover)	<u>Document Changes</u>
May 2014	Reviewed throughout to reflect Keeping Children Safe in Education 2014
January 2015	<ul style="list-style-type: none">• References to DCPO (Designated Child Protection Officer changed to DSL (Designated Safeguarding Lead) throughout – to reflect references in Keeping Children Safe in Education 2014• Reference made to requirement to comply with supplementary guidance to Keeping Children Safe in Education 2014 in regard to Child Care Disqualification requirements• DSL responsibilities to include reference to Together for Families programme

Child Protection and Safeguarding Policy – January 2015

- This policy was developed and first adopted in **May 2014** and reviewed in January 2015
- The policy will be reviewed in January 2016
- The Designated Safeguarding Lead (DSL) is **Andrew Terry, Head of School**
- The Officer with responsibility to cover for the Designated Safeguarding Lead is **Andrew Terry, Child Protection and Safeguarding Officer**
- The name of the Designated Teacher for Children in Care is **Jess Carew**
- The named Member of the Local Governing Body for safeguarding is **Alison Parsons**

Meeting your communication needs:

We want to ensure that your needs are met. If you would like this information on audio type, in Braille, large print, any other format or interpreted in a language other than English, please contact the school's Equality and Diversity team.

Purpose of Policy

The purpose of the Child Protection and Safeguarding Policy is to provide a secure framework for the workforce in safeguarding and promoting the welfare of those pupils who attend our school. The policy aims to ensure that:

- All our pupils are safe and protected from harm;
- Other elements of provision and policies are in place to enable pupils to feel safe and adopt safe practices; and
- Staff, pupils, governors, visitors, volunteers and parents are aware of the expected behaviours and the school's legal responsibilities in relation to safeguarding and promoting the welfare of all our pupils.

Policy Statement

This policy develops procedures and good practice within our School, to ensure that each person and agency can demonstrate that there is an understanding of the duty to safeguard and promote the welfare of children and young people including those who are vulnerable. It provides evidence of how this will be implemented within our School and within multi-agency working arrangements.

Introduction

This policy has been developed in accordance with the principles established by the Children Act 1989, the Education Act 2002 and the Children Act 2004 and in line with government publications and local guidance.

The directors and governors of Windmill Hill Academy take seriously their responsibility under Section 157 of the Education Act 2002 to safeguard¹ and promote the welfare of children; and to work together with other agencies to ensure adequate arrangements within our school to identify, assess, and support those children who are suffering harm. Where a child is suffering significant harm, or is likely to do so, action will be taken to protect that child. Action will also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are (sic) at immediate risk².

Ethos

Improving outcomes for all children and young people underpins all of the development and work within this school.

Safeguarding is everyone's responsibility and as such our school aims to create the safest environment within which every student has the opportunity to achieve. Our school recognises the contribution it can make in ensuring that all registered students or others who use our school feel that they will be listened to and appropriate action taken. We will do this by working in partnership with other agencies and seeking to establish effective working relationships with parents, carers and other colleagues to develop and provide activities and opportunities throughout our curriculum that will help to equip our children with the skills they need. This will include materials and learning experiences that will encourage our children to develop essential life skills and protective behaviours.

Governing Body Responsibilities

Our governing body has a legal responsibility to make sure that the school has an effective safeguarding policy and procedures in place and monitors that the school complies with them. The Governing body has appointed a Designated Safeguarding Lead (DSL) who has lead responsibility for dealing with all safeguarding issues in our school. The school will ensure that there will always be cover for the role of DSL. Such cover will be provided by someone as well trained as the DSL and such person will be similarly empowered to challenge where necessary³.

Our Governing Body recognises that for this policy to be effective, it is essential that staff have an understanding of what safeguarding is, know that 'safeguarding is everybody's responsibility', know how to access safeguarding information, know of any

³ Safeguarding (as defined in the Joint Inspector's Safeguarding report) is taken to mean "All agencies working with children, young people and their families take all reasonable measures to ensure that the risk of harm to children's welfare are minimised" and "where there are concerns about children and young people's welfare, all agencies take all appropriate actions to address those concerns, working to agreed local policies and procedures in full partnership with other agencies".

² DfE Keeping Children Safe in Education 2014

³ DfE Keeping Children Safe in Education 2014

possible contribution that they may be required to make to safeguard children, young people and vulnerable adults and how to access further advice, support or services.

Designated Safeguarding Lead's (DSL) Responsibilities

We will follow the procedures set out in the South West Child Protection Procedures (www.swcpp.org.uk) and take account of both national guidance issued by the Department of Education⁴ and local guidance. Our Designated Safeguarding Lead (DSL) is a member of the leadership team and has the authority, time, training, resources and support to fulfil this role effectively.

All child protection concerns MUST be reported to the appropriate authority and our Designated Safeguarding Lead (DSL) is responsible for:

- advising other workers on the LSCB threshold /continuum of need guidance;
- contacting, by telephone, the Multi Agency Referral Unit (MARU) 0300 123 1116 as a matter of urgency, in order to discuss the child protection concerns of possible abuse or neglect that the designated person has in connection with the child, being prepared to provide the child's details and follow advice and guidance provided by the person handling the call and as in the guidance referred to above⁵;
- providing a written record of any formal referral by fax/post/e-mail to the MARU using the multi-agency referral form within 1 day;
- ensuring that, where a formal referral has not been agreed other sources of support for the child will be considered. Action will be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk- such actions include instigating a Common Assessment Framework (CAF) process and/or referring to other Early Help provision and services including the Together for Families programme;
- ensuring that written records of concerns about a child are kept even if there is no need to make an immediate referral;
- ensuring that all such records are kept confidentially and securely and are separate from pupil records, with a front sheet listing dates and brief entries to provide a chronology;
- ensuring that an indication of further 'child protection related' record keeping is marked on the pupil's records;
- acting as a focal point for staff to discuss concerns and liaising with other agencies and professionals;
- attending child protection conferences (or delegating this requirement to another appropriately informed member of staff), family support meetings, core groups, or other multi-agency planning meetings; contributing to the Framework for Assessment process, and providing a report for the conference which has been shared with parents;
- ensuring that Cornwall Council's Directorate for Education, Health and Social Care is notified immediately when any pupil subject of a Child Protection Plan is absent without explanation;

⁴ DfE Keeping Children Safe in Education 2014

⁵ It is recognised that whilst the Designated lead is responsible for liaison with agencies, DfE Keeping Children Safe in Education 2014 states that 'any member of staff may make a referral if they believe a child is at risk or requires support'

- ensuring that all school staff are aware of this policy and know how to recognise and refer any concerns;
- completing an annual safeguarding audit to the Governing Body which details any changes to the policy and procedures; training undertaken by the DSL and by all staff and governors; relevant curricular issues, number and type of incidents/cases, and the number of children referred to Cornwall Council's Directorate for Education, Health and Social Care and subject of a Child Protection Plan (anonymised). If this self-assessment highlights any areas for improvement, this will be detailed in an action plan which will be signed off and monitored by the Named Governor for Safeguarding to ensure these improvements are implemented.
- Completing a return to the Local Authority and the CloSSCB, who have an auditing role in ensuring the school is meeting its safeguarding requirements under Section 175/157 of the Education Act 2002;
- keeping themselves up to date with knowledge to enable them to fulfil their role, including attending relevant training as recommended by the CloSSCB;
- supporting the Executive Head teacher in implementing all recommendations applicable to schools and education services arising from Serious Case Reviews and
- providing advice and guidance to colleagues, attending inter-agency meetings (or supporting other staff to do so) and contributing to assessments.

Whole school and staff responsibilities

Our school recognises that Safeguarding is not just about protecting children from deliberate harm. It relates to aspects of school life including: pupils' health and safety; the use of reasonable force; meeting the needs of pupils with medical conditions; providing first aid; educational visits; intimate care; internet or e-safety; appropriate arrangements to ensure school security, taking into account the local context. Additionally, we recognise that Safeguarding can involve a range of potential issues such as: bullying, including cyberbullying (by text message, on social networking sites, and so on), peer on peer and prejudice-based bullying; racist and homophobic or transphobic abuse; extremist behaviour; child sexual exploitation; sexting; substance misuse; issues which may be specific to a local area or population, for example gang activity and youth violence and other particular issues affecting children including domestic violence, sexual exploitation, female genital mutilation, radicalisation and forced marriage.⁶

All our staff maintain an attitude of 'it can happen here' and are aware of the signs and indicators of abuse.

All members of staff have a responsibility to provide a safe environment in which children can learn.

Our staff induction process includes information on our arrangements and systems for child protection, the staff behaviour policy, code of conduct and details of the Designated Safeguarding Lead (DSL).

⁶ Ofsted Briefing for Section 5 Inspectors on Safeguarding Children, Ofsted 2014

All members of staff are provided with opportunities to receive appropriate training which is regularly updated, in order to develop their understanding of the signs and indicators of abuse and of the school's child protection procedures.

In conjunction with this policy, all members of staff are provided with, and are required to read, Department for Education statutory guidance as outlined in Part 1 of 'Keeping Children Safe in Education 2014'.

All members of staff, volunteers and governors know how to respond to a student who discloses abuse, and the procedure to be followed in appropriately sharing a concern of possible abuse or a disclosure of abuse.

All parents/carers are made aware of the school's responsibilities in regard to child protection procedures through publication of the school's Child Protection and Safeguarding Policy.

When services are delivered by a third party or agency, education or otherwise, on the school site, we will obtain written notification from any agency, or third-party organisation we use that the organisation has carried out required checks on an individual who will be working at the school or college. This will include, as necessary, a barred list check, prior to the organisation having appointed that individual. We will check that the person presenting themselves for work is the same person on whom the checks have been made⁷.

Our lettings and visitors' policies will seek to ensure the suitability of adults working with and in the presence of children at any time. Community users organising activities for children are aware of and understand the need for compliance with the school's child protection guidelines and procedures.

Our school operates safer recruitment procedures including making sure that:

- statutory duties to undertake required checks on staff who work with children are complied with in line with the Disclosure and Barring Service requirements in relation to Regulated Activity; teachers' Prohibition Orders and the Child Care Act 2006 and Childcare (Disqualification) Requirements 2009
- statutory guidance relating to volunteers is followed
- recruitment panel members are properly trained.

We hold a Single Central Record (SCR) which demonstrates we have carried out the range of checks required by law on our staff^{8, 9, 10, 11}

⁷ DfE Keeping Children Safe in Education 2014

⁸ As required by: School Staffing (England) Regulations (2009); Education (Independent School Standards) (England) Regulations 2010; DfE Keeping Children Safe in Education 2014;

⁹ DfE Keeping Children Safe in Education 2014 – schools must use the Employer Access Online service to check that a candidate to be employed as a teacher is not subject of a prohibition order.

¹⁰ Teacher Prohibition Order requirements – Keeping Children Safe in Education 2014

¹¹ Childcare Act 2006 and Childcare (Disqualification) Regulations 2009

Our school complies with the requirements of Keeping Children Safe in Education 2014.

Our school complies with the requirements of the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009.

Should we dismiss or remove a member of staff or a volunteer because they have harmed a child, or poses a risk of harm to a child or would have done so if they had not left, we will report this to the Disclosure and Barring Service (DBS).

Our safeguarding policies and procedures will be reviewed and updated annually.

If a child makes an allegation or disclosure of abuse against an adult or other child or young person, staff will:

- stay calm and listen carefully;
- reassure the child that s/he has done the right thing in telling you;
- not investigate or ask leading questions;
- let the child know that s/he will need to tell the DSL;
- not promise to keep what they have been told a secret;
- inform the DSL as soon as possible; and
- make a written record of the allegation, disclosure or incident which will be signed, and dated using the school's safeguarding record procedure

Confidentiality and Information Sharing

- We recognise that all matters relating to child protection are confidential;
- the DSL will disclose personal information about a pupil to other members of staff on a need to know basis only;
- all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children;
- all staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being, or that of another; and
- we will always undertake to share our intention to refer a child to Cornwall Council's Directorate for Education, Health and Social Care with their parents/carers, unless to do so could put the child at greater risk of harm, or impede a criminal investigation. If in doubt, we will consult with the Multi-Agency Referral Unit (MARU).

Managing Allegations against staff

We are aware of the possibility of allegations being made against members of staff or volunteers that are working with or may come into contact with children and young people whilst in our school. Such allegations are usually that some kind of abuse has taken place. They can be made by children and young people or other concerned adults.

1. If an allegation is made, the member of staff receiving the allegation will immediately inform the Executive Head teacher/Head of School.
2. The Executive Head teacher/Head of School or senior teacher on all such occasions will follow the procedures in the South West Child Protection Procedures, (www.swcpp.org.uk/) and will inform the Local Authority Designated Officer (LADO) - 01872 254549;
3. If the allegation made concerns the Executive Head teacher or Head of School, the person receiving the allegation will immediately inform the most senior teacher available who will inform the Chair of Governors who will consult the LADO as above, without notifying the Executive Head teacher or Head of School first;
4. Whosoever contacts the LADO (at 2 or 3 above) will discuss the nature of the allegations in order for appropriate action to be taken. This may constitute an initial evaluation meeting or strategy discussion depending on the allegation being made.

The Executive Head teacher/Head of School will also:

- Consider the safeguarding arrangements of the child or young person to ensure they are not in contact with the alleged abuser;
- contact the parents or carers of the child/young person if advised to do so by the LADO;
- consider the rights of the staff member for a fair and equal process of investigation;
- ensure that the appropriate disciplinary procedure is followed, including whether suspending a member of staff from work until the outcome of any investigation is deemed necessary;
- act on any decision made in any strategy meeting; and
- advise the Disclosure and Barring Service (DBS) where a member of staff has been disciplined or dismissed as a result of the allegations founded, or would have been if they have resigned.

Whistleblowing

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

We advise our staff of our Whistleblowing Policy and of how it can be implemented. Staff are aware of their duty to raise concerns about the attitude and actions of colleagues where these are inappropriate or unsuitable. If necessary, the member of staff, will speak to the delegated 'Whistleblowing' Governor who is Mrs Ann Nicholson.

Supporting Staff

- Our staff will be advised on the boundaries of appropriate behaviour – such matters form part of our staff induction and staff have access to support and guidance when required or requested
- We recognise that staff working in the school, who have become involved in the case of a child who has suffered harm, or appears likely to suffer harm, may find the situation stressful and upsetting.

- We support such staff by providing an opportunity to discuss their anxieties with the DSL, or another teacher and/or a trade union representative as appropriate.
- Our designated officers have access to support and appropriate workshops, courses or meetings as organised or recommended by the Cornwall and Isles of Scilly Safeguarding Children Board (CloSSCB), Safeguarding Children Standards Unit (SCSU) or Local Authority (LA).

Physical Restraint

Our policy on physical restraint is compliant with the LA's 'Physical Restraint in Schools' Guidance (<http://www.cornwall.gov.uk/Default.aspx?page=7580>) along with guidance from the Department for Education (DfE).

- We have a procedure in place for recording each significant incident in which a member of staff uses force on a pupil, and for the reporting of these incidents to the pupil's parents as soon as practicable after the incident.
- A member of staff who has used appropriate physical restraint will have a reasonable defence to any legal action against them, if:
 - The purpose of the physical intervention was to avert an immediate danger of injury to any person;
 - or an immediate danger to the property of any person ("person" includes the pupil);
 - or to prevent the committing of a criminal offence;
 - or where a young person's conduct leads to behaviour that prejudices good order and discipline; **and**
 - no more force was used than was reasonably necessary in the circumstances

Wherever possible such events are recorded and signed by a witness. Staff that are likely to need to use physical intervention are appropriately trained. We understand that physical intervention of a nature that causes injury or distress to a child may be considered under child protection or disciplinary procedures.

Prevention

We recognise that the school plays a significant part in the prevention of harm to our pupils by providing them with effective lines of communication with trusted adults, supportive friends and an ethos of protection. Our school will support all pupils by:

- Establishing and maintaining an ethos, understood by all staff, which enables children to feel secure and encourages them to talk, knowing that they will be listened to.
- Promoting a caring, safe and positive environment within the school and ensuring that all children know that there is an adult in the school whom they can approach if they are worried or in difficulty.
- Providing across the curriculum, including within PSHE, opportunities which equip children with the skills they need to stay safe from harm and to know to whom they should turn for help.

- Encouraging the development of self-esteem and resilience in every aspect of school life including through the curriculum.
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children.
- Ensuring that a named teacher is designated for Children in Care, (CIC) and that a list of CIC is regularly reviewed and updated. The Education Welfare Officer (EWO) for the school is made aware of all CIC in the school.
- Providing continuing support to a pupil who leaves the school and about whom there have been child protection concerns, by ensuring that such concerns and school records are forwarded under confidential cover to the Headteacher/Principal at the pupil's new school as a matter of urgency.
- Recognising that children come from a variety of different cultural backgrounds, the school has developed policies to ensure that we embrace diversity in religion and faith, race, ethnicity, gender and sexual orientation.
- We will include our Child Protection and Safeguarding Policy in our school prospectus/website and will post copies of our policy throughout the school. We are also able to arrange for our policy to be made available to parents whose first language is not English, on request.

Training

- All members of staff and volunteers will have access to appropriate whole school safeguarding training which is regularly updated. We will also, as part of our induction, issue information in relation to our Child Protection and Safeguarding Policy and any other policy and information related to safeguarding and promoting our children/young people's welfare to all newly appointed staff and volunteers.
- Our DSL and Deputy DSL will undertake further safeguarding training in addition to the whole school training. This will be undertaken at least every two years and will update their awareness and understanding of the impact of the wide agenda of safeguarding issues. It will support both the DSL and Deputy DSL to be able to better undertake their role and support the school in ensuring our safeguarding arrangements are robust and achieving better outcomes for the pupils in our school. This includes taking part in multi-agency training.
- Our Governing Body will have access to safeguarding training. Our named Governor for Safeguarding will have access to additional training at least every two years to support the Executive Head teacher and Head of School in managing allegations against staff and volunteers who work with children and young people and to support the annual review of this policy, in order to keep it updated in line with local and national guidance/legislation.
- At least one member of a recruitment panel will have undertaken safer recruitment training¹².

¹² School Staffing (England) Regulations 2009

Missing Children

We will monitor unauthorised absence, particularly where children go missing on repeated occasions. We will report such absences without delay to the appropriate agencies.

Helping children to keep themselves safe

Our children are taught to understand and manage risk through our personal, social, health and economic (PSHE) lessons and through all aspects of school life. Children are taught how to conduct themselves and how to behave in a responsible manner. Children are reminded regularly about e-safety and tackling bullying procedures.

Our school continually promotes an ethos of respect for others and pupils are encouraged to speak to a member of staff in confidence about any worries they may have.

Policy Review

The Governing Body of our school is responsible for ensuring the annual review of this policy and for additional policies¹³ that are relevant to safeguarding and child protection.

Safeguarding Guidance and Contacts

- 'Working Together to Safeguard Children', March 2013
<http://media.education.gov.uk/assets/files/pdf/w/working%20together.pdf>
- 'Keeping Children Safe in Education', 2014
<https://www.gov.uk/government/publications/keeping-children-safe-in-education>
- Supplementary advice to 'Keeping Children Safe in Education' October 2014 re Childcare Act 2006 and Childcare (Disqualification) Regulations 2009
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf
- 'What To Do If You Are Worried A Child Is Being Abused', 2006
<https://www.education.gov.uk/publications/standard/publicationdetail/page1/DF-ES-04319-2006>
- The South West Safeguarding and Child Protection Procedures¹⁴
<http://www.swcpp.org.uk/>
- Child Protection and Online Protection Agency www.ceop.org.uk
www.thinkuknow.co.uk

¹³ DfE Policies and other documents that governing bodies/proprietors are required to have by law - <https://www.gov.uk/government/publications/statutory-policies-for-schools>

¹⁴ Adopted 1st January 2008. www.swcpp.org.uk

Legislation and guidance relating to this policy:

- School Standards and Framework Act 1998
 - Children Act 1989,
 - Children Act 2004
 - Working Together to Safeguard Children, 2013
 - Education Act 1996,
 - Education Act 2002 (Section 157/175)
 - Keeping Children Safe in Education, 2014
 - Supplementary guidance to Keeping Children Safe in Education 2014
 - Safeguarding Vulnerable Groups Act 2010
 - The School Staffing (England) Regulations 2009 (as amended)
 - The Education (Independent School Standards) (England) Regulations 2010(as amended)
 - The Education (Non-Maintained Special Schools) (England) Regulations 2011(
 - The Education (Pupil Referral Units) (Application of Enactment)(England) Regulations 2007 (as amended)
 - Childcare Act 2006
 - Childcare (Disqualification) Regulations 2009
-