# 

# Safeguarding Children with a Social Worker, Looked After Children and Previously Looked After Children at School

## 1. Introduction

The Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (GDPR)do notprevent the sharing of information for the purposes of keeping children safe and promoting their welfare. If in any doubt about sharing information, staff should always speak to the designated safeguarding lead (or a deputy or the Head Teacher). Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare of children.

Schools and colleges in England must have regard to the latest version ofKeeping Children Safe in Education (KCSIE)when carrying out their duties to safeguard and promote the welfare of children. For the purposes of this guidance ‘children’ includes everyone under the age of 18. This procedure sets out, in brief form, the key matters dealt with in KCSIE and refers readers to the more detailed information in the guidance itself.

Keeping Children Safe in Education (KCSIE) (https://www.keepingchildrensafeineducation.co.uk/)

The terms ‘must’ and ‘should’ are used throughout this procedure. The term ‘must’ is used when the person in question is legally required to do something and ‘should’ when the advice set out should be followed unless there is good reason not to.

KCSIE uses the term ‘victim’ as a widely recognised and used term. It is important that schools and colleges recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child is most comfortable.

KCSIE uses the term ‘alleged perpetrator(s)’ and where appropriate ‘perpetrator(s)’. These are widely used and recognised terms and the most appropriate to aid effective drafting of guidance. However, schools and colleges should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour will have been harmful to the perpetrator as well. As above, the use of appropriate terminology will be for schools and colleges to determine, as appropriate, on a case-by-case basis.

## 2. Key Responsibilities of Professionals and Carers

Enabling children with a social worker, children who are Looked After and Previously Looked After requires commitment to working together. It is important to know what your role is and the roles of others.

This is a brief guide to each professional’s main responsibilities. More detail is set out in the main sections below.

* Inform the school of any problems or illness;
* Inform school if the child goes missing;
* Inform the social worker if there are concerns about the child’s behaviour e.g. drug or alcohol abuse, going missing, mixing with unsuitable people, possible criminal activity;
* Support school staff.
* Monitor and respond to safeguarding concerns raised by schools and/or social worker and carers;
* Ensure Safeguarding Partnership is fully involved in monitoring and responding to allegations and concerns raised by schools, children and others.
* To have regard to the school’s safeguarding policies and procedures;
* To inform the Designated Teacher or Headteacher regarding any concerns about a child no matter how ‘small’ or ‘trivial’ it may seem.
* They must ensure they comply with their duties under legislation;
* In particular they must have regard to KCSIE, ensuring policies, procedures and training in their school(s) are effective and comply with the law at all times and are understood and followed by staff.
* To have a good working awareness of KCSIE;
* To ensure staff training and information is timely, appropriate and up-to-date;
* To assess concerns raised and either decide on ‘no further action’ or referral to the school’s pastoral system or to refer to social care (and/or police if appropriate);
* If case referred to social care the school should do everything they can to support social workers;
* The designated safeguarding lead should take lead responsibility for safeguarding and child protection (including online safety and understanding the filtering and monitoring systems and processes in place);
* At all stages, staff should keep the child’s circumstances under review, involving the designated safeguarding lead (or deputies) as required, and re-refer if appropriate, to ensure the child’s circumstances improve – the child’s best interests must always come first.

See also:Annex C KCSIE - Role of the Designated Safeguarding Lead.

Annex C KCSIE - Role of the Designated Safeguarding Lead (https://www.keepingchildrensafeineducation.co.uk/annex\_c.html)

Note- if there are concerns about Female Genital Mutilation (FGM) the police must be informed.

* To decide about response to concerns within one working day;
* To inform school of actions taken from emergency response, section 47 enquiry or section 17 enquiry to no formal assessment required;
* To ensure parents/carers are informed in a timely manner of concerns and actions to be taken by themselves;
* To ensure safeguarding partnership is involved as and when required.

## 3. What School and College Staff Should Know

All children should feel and be safe in the school they attend. However Children with a Social Worker, Looked After Children and Previously Looked After Children are all particularly vulnerable as a result of their status and experiences. The aim of safeguarding and promoting the welfare of all children in education iseveryone’sresponsibility.Everyonewho comes into contact with children has an important role to play.

School and college staff are particularly important, as they are in a position to identify concerns early, provide help for children, promote children’s welfare and prevent concerns from escalating.

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

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

* Protecting them from maltreatment;
* Preventing any impairment of their mental and physical health or development;
* Ensuring they are growing up in circumstances consistent with safe and effective care;
* Taking action to enable them to have the best outcomes.

All staff should:

* Be aware of the systems in their school or college which support safeguarding, and these should be explained to them as part of staff induction. This should include:The child protection policy and procedures (which should amongst other things include the policy and procedures to deal with child-on-child abuse, and online safety including using appropriate filtering and monitoring on school devices and school networks);The child behaviour policy (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying);The staff behaviour policy (sometimes called a code of conduct) should, amongst other things, include low-level concerns, allegations against staff and whistleblowing;The safeguarding response to children who go missing from education, particularly on repeat occasions and/or prolonged periods; andThe role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).

1. The child protection policy and procedures (which should amongst other things include the policy and procedures to deal with child-on-child abuse, and online safety including using appropriate filtering and monitoring on school devices and school networks);
2. The child behaviour policy (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying);
3. The staff behaviour policy (sometimes called a code of conduct) should, amongst other things, include low-level concerns, allegations against staff and whistleblowing;
4. The safeguarding response to children who go missing from education, particularly on repeat occasions and/or prolonged periods; and
5. The role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).

Copies of policies and a copy of Part one (or Annex A, if appropriate) of KCSIE  should be provided to all staff at induction.

* Know the identity of the designated safeguarding lead (and any deputies) and how to contact them;
* Know what to do if a child tells them they are being abused or neglected. This includes understanding they should never promise a child that they will not tell anyone else about a report of abuse, as this is unlikely to be in the best interests of the child;
* Be able to reassure all victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment, nor should a victim ever be made to feel ashamed for making a report, and;
* Be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse and other risks online as well as face to face. In many cases abuse and other risks will take place concurrently both online and offline. Children can also abuse other children online, this can take the form of abusive, harassing, and misogynistic/misandrist messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.

### 3.1 Training

All staff in the school should receive appropriate safeguarding and child protection training (including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring - seeFiltering and Monitoring, below for further information). This training should take place at induction and be regularly updated.

Filtering and Monitoring (#filtering-and-monitoring)

The induction training of staff should be regularly updated. In addition all staff should receive safeguarding and child protection (including online safety) updates (for example, via email, e-bulletins, and staff meetings), as required, and at least annually to continue to provide them with relevant skills and knowledge to safeguard children effectively. For details on the specifics of what staff should know and be aware of, please seePart 1 of KCSIE.

Part 1 of KCSIE (https://www.keepingchildrensafeineducation.co.uk/part\_one\_sg\_info.html)

3.2 Online Safety Policy and Filtering and Monitoring (/chapter/safeguarding-children-with-a-social-worker-looked-after-children-and-previously-looked-after-children-at-school#online-safety-policy-and-filtering-and-monitoring)

### 3.2 Online Safety Policy and Filtering and Monitoring

Online safety and the school or college's approach to it should be reflected in the child protection policywhich, amongst other things, should include appropriate filtering and monitoring on school devices and school networks. The school or college should have a clear policy on the use of mobile and smart technology, which will also reflect the fact many children have unlimited and unrestricted access to the internet via mobile phone networks. This access means some children, whilst at school or college, sexually harass, bully, and control others via their mobile and smart technology, share indecent images consensually and non-consensually (often via large chat groups) and view and share pornography and other harmful content. Schools and colleges should carefully consider how this is managed on their premises and reflect this in their mobile and smart technology policy and their child protection policy.

Governing bodies and proprietors should be doing all that they reasonably can to limit children’s exposure to the above risks from the school's or college’s IT system. They should ensure their school or college has appropriate filtering and monitoring systems in place and regularly review their effectiveness. They should ensure that the leadership team and relevant staff have an awareness and understanding of the provisions in place and manage them effectively and know how to escalate concerns when identified. They should consider the number of and age range of their children, those who are potentially at greater risk of harm and howoften they access the IT system along with the proportionality of costs versus safeguarding risks.

The appropriateness of any filtering and monitoring systems are a matter for individual schools and colleges and will be informed in part, by the risk assessment required by the Prevent Duty. To support schools and colleges to meet this duty, the Department for Education has publishedFiltering and Monitoring Standards.

Filtering and Monitoring Standards (https://www.gov.uk/guidance/meeting-digital-and-technology-standards-in-schools-and-colleges/filtering-and-monitoring-standards-for-schools-and-colleges)

Additional guidance on filtering and monitoring can be found at:UK Safer Internet Centre: 'appropriate' filtering and monitoring.

UK Safer Internet Centre: 'appropriate' filtering and monitoring (https://saferinternet.org.uk/guide-and-resource/teachers-and-school-staff/appropriate-filtering-and-monitoring)

South West Grid for Learninghave created a tool to check whether a school or college’s filtering provider is signed up to relevant lists.

South West Grid for Learning (http://testfiltering.com/)

Education settings are directly responsible for ensuring they have the appropriate level of security protection procedures in place in order to safeguard their systems, staff and learners and review the effectiveness of these procedures periodically to keep up with evolving cyber-crime technologies.

Guidance on e-security is available from theNational Education Network. In addition, schools and colleges should consider meeting theCyber Security Standards for Schools and Colleges.

National Education Network (https://www.nen.gov.uk/)

Cyber Security Standards for Schools and Colleges (https://www.gov.uk/guidance/meeting-digital-and-technology-standards-in-schools-and-colleges/cyber-security-standards-for-schools-and-colleges)

Broader guidance on cyber security including considerations for governors and trustees can be found atCyber Security Training for School Staff (National Cyber Security Centre).

Cyber Security Training for School Staff (National Cyber Security Centre) (https://www.ncsc.gov.uk/information/cyber-security-training-schools)

## 4. Abuse and Neglect

Knowing what to look for is vital to the early identification of abuse and neglect. All staff should be aware of indicators of abuse and neglect, including exploitation, so that they are able to identify cases of children who may be in need of help or protection. Abuse can take place wholly online, or technology may be used to facilitate offline abuse.

If staff are unsure, they should always speak to the designated safeguarding lead (or a deputy).

See:Recognising Abuse and Neglectfor definitions of forms of abuse and neglect, including abuse, physical abuse, emotional abuse, sexual abuse and neglect.

Recognising Abuse and Neglect (recognising-abuse-and-neglect#definitions-of-child-abuse-and-neglect)

Keeping Children Safe in Educationlists many of the things that school staff should be aware of and on the lookout for, and a range of safeguarding issues, including:

Keeping Children Safe in Education (https://www.keepingchildrensafeineducation.co.uk/part\_one\_sg\_info.html#need\_to\_know)

* Child-on-child abuse;
* Child Sexual Exploitation;
* Child Criminal Exploitation;
* Domestic Abuse;
* Female Genital Mutilation (FGM);
* Mental health;
* Serious violence;
* Carrying of weapons such as knives or knuckle dusters.

See the following procedures

Child Sexual Exploitation procedure

Domestic Abuse (procedure

Female Genital Mutilation (FGM) procedure

All staff should be aware that child sexual and child criminal exploitation are forms of child abuse.

The sexual abuse of children by other children is a specific safeguarding issue (also known as child-on-child abuse) in education and all staff should be aware of it and their school or college’s policy and procedures for dealing with it.

In addition, all staff should be aware of children who are particularly vulnerable e.g., children with disabilities including learning disabilities, children who are or have been Looked After or have been adopted, children with mental health issues, children with conditions such as autism, Asperger’s syndrome or ADHD. Staff should equally be concerned if children are going missing from lessons or the school, or are arriving with unexplained bruising or are known to be the victim of bullying. Children may also be at greater risk as a result of their (self, medically or parentally) identified gender, race, religious persuasion or other characteristics that make them appear ‘different’ from other children at the school.

## 5. Early Help

Many children will benefit from early help, but all school and college staff should be particularly alert to the potential need for early help for a child who:

* Is disabled or has certain health conditions and has specific additional needs;
* Has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
* Has a mental health need;
* Is a child in need, is Looked After or is a child who has previously been looked after i.e. is adopted or has returned to their family following a period in care;
* Is a young carer;
* Is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;
* Is frequently missing/goes missing from care or from home;
* Is vulnerable to modern slavery, trafficking, sexual or criminal exploitation;
* Is vulnerable to being radicalised or exploited;
* Has a family member in prison, or is affected by parental offending;
* Is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
* Is misusing alcohol and other drugs themselves;
* Is persistently absent from education, including persistent absences for part of the school day.

## 6. Serious Violence

All staff should be aware of indicators which may signal that children are at risk from, or are involved with, serious violent crime. Indicators may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self- harm or a significant change in wellbeing or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with sexual exploitation, criminal networks or gangs.

Bearing in mind the reluctance of children to come forward, staff should take into account that they may 'overhear conversations' that a child may have been harmed and should act accordingly.

Looked After Children and previously Looked After Children are particularly vulnerable to being targeted by gangs. Carers, social workers and school staff should be proactive and share any concerns at the earliest possible time.

For further information, please see:

* Advice to schools and colleges on gangs and youth violence;
* Criminal exploitation of children and vulnerable adults: county lines.

Advice to schools and colleges on gangs and youth violence (https://www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence)

Criminal exploitation of children and vulnerable adults: county lines (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/863323/HOCountyLinesGuidance\_-\_Sept2018.pdf)

## 7. Protecting Children from Sexual Harassment and Child-on-Child Abuse

Schools must have procedures in place to protect all children, but particularly vulnerable groups of children such as Looked After and Previously Looked After Children, from unwanted and damaging interactions with their peers. As a matter of course the school should be referring any concerns about this group of children to their parents or those with parental responsibility.

Allstaff within the school should be aware that safeguarding issues can manifest themselves via child-on-child abuse. This can include (but is not limited to):

* Bullying (including cyberbullying);
* Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
* Initiating/hazing type violence and rituals;
* Sexual violence such as rape, assault by penetration and sexual assault;
* Sexual harassment such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
* Upskirting which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
* Sexting (also known as youth produced sexual imagery).

An Ofsted thematic review (Review of Sexual Abuse in Schools and Colleges (Ofsted)): identified substantial levels of sexual harassment for both girls (90%) and boys (nearly 50%) and that in a number of schools this went unreported as a result of the school's 'culture' – a part of which appeared to be that staff were not aware, did not countenance that this could happen, and because once it was discussed [the children] feared the process would be out of their control.

Review of Sexual Abuse in Schools and Colleges (Ofsted) (https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges)

Keeping Children Safe in Education highlights that, 'Sexual violence and sexual harassment can occur between two children of any age and sex, from primary through to secondary stage and into colleges. All staff working with children are advised to maintain an attitude of 'it could happen here'. Further, that given children and young people's reluctance to come forward, staff should take into account that they may 'overhear conversations' that a child may have been harmed.

The Ofsted Report reflects that school and college leaders should create a culture where sexual harassment and online sexual abuse are not tolerated, and where they identify issues and intervene early to better protect children and young people.

Schools and colleges should assume that sexual harassment and online sexual abuse are happening in their setting, even when there are no specific reports, and put in place a whole-school approach to address them of which all staff are aware. This should include:

* A Relationships Education, Relationships and Sex Education (RSE) and Health Education curriculum, based on theDepartment for Education's statutory guidance, that includes sexual harassment and sexual violence, including inappropriate online material;
* Routine record-keeping and analysis of sexual harassment and sexual violence, including online, to identify patterns and intervene early to prevent abuse. These should be routinely reviewed;
* A behavioural approach, including sanctions when appropriate, to reinforce a culture where sexual harassment and online sexual abuse are not tolerated;
* Working closely with local Safeguarding Partnerships in the area where the school or college is located so they are aware of the range of support available to children and young people who are victims or who perpetrate harmful sexual behaviour;
* Training to ensure that all staff (and governors, where relevant) are able to better understand the definitions of sexual harassment and sexual violence, including online sexual abuse and identify early signs of child on child sexual abuse.

Department for Education's statutory guidance (https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education)

Child-on-child abuse also indicates that there will be an identified, or alleged, perpetrator. It may well be the case in some instances that they themselves have been a victim of abuse. If established, there will be the need to ensure they are separated from the complainant (child), offered further support at school/college, and possibly specialist work regarding their behaviour; provided with an education, safeguarding support as appropriate, as well as implementing any disciplinary sanctions.

Schools must be aware that sexual assault can result in a range of health needs, physically, mentally and sexually. Children who experience health problems can access support from theNHS Sexual Assault Referral Centre (SARC).

NHS Sexual Assault Referral Centre (SARC) (https://www.nhs.uk/live-well/sexual-health/help-after-rape-and-sexual-assault/)

The fact that a child or a young person may be LGBTQ+ is not in itself an inherent risk factor for harm. However, children who are LGBTQ+ can be targeted by other children and by some adults. In some cases, a child who is perceived by other children to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+. This vulnerability can be compounded if the child is Looked After or is disabled.

Risks can be further compounded where children who are LGBTQ+ lack a trusted adult with whom they can be open. It is therefore vital that social workers and school staff endeavour to reduce the additional barriers faced and provide a safe space for them to speak out or share their concerns with members of staff. Carers of Looked After children also have a crucial role to play.

LGBTQ+ inclusion is part of the statutory Relationships Education, Relationship and Sex Education and Health Education curriculum and there is a range of support available to help schools counter homophobic, biphobic and transphobic bullying and abuse.

For further information, please see:Part 5 of Keeping Children Safe in Education - Child on Child Sexual Violence and Sexual Harassment.

Part 5 of Keeping Children Safe in Education - Child on Child Sexual Violence and Sexual Harassment (https://www.keepingchildrensafeineducation.co.uk/part\_five\_ch\_sex\_viol.html)

## 8. Safeguarding Concerns or Allegations Made About Staff, Including Supply Teachers, Volunteers and Contractors

See also:KCSIE Part 4.

KCSIE Part 4 (https://www.keepingchildrensafeineducation.co.uk/part\_four\_alleg.html)

Schools and colleges should have their own processes and procedures in place to manage any safeguarding concerns or allegations, no matter how small, about staff members (including supply staff, volunteers, and contractors).

It is importantfor children to receive the right help at the right time to address safeguarding risks and prevent issues escalating and to promote children’s welfare. Research and serious case reviews have repeatedly shown the dangers of failing to take effective and immediate action. Examples of poor practice includes failing to act on and refer the early signs of abuse and neglect.

### 8.1 What School and College Staff Should Do if They Have Concerns About a Child

Staff working with children are advised to maintain an attitude of ‘it could happen here’ where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the best interests of the child.

If staff haveany concernsabout a child’s welfare, they should act on themimmediately. SeeActions Where There are Concerns About a Childfor a flow chart setting out the process for staff when they have concerns about a child.

Actions Where There are Concerns About a Child (#actions-where-there-are-concerns-about-a-child)

If staff have a concern, they should follow their own organisation’s child protection policy and speak to the designated safeguarding lead (or deputy).

Options will then include:

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

The designated safeguarding lead or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the designated safeguarding lead (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 local authority children’s social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or deputy) as soon as is practically possible.

Staff should not assume a colleague, or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already known to local authority children’s social care (such as a child in need or a child with a protection plan).Information Sharing: Advice for Safeguarding Practitionerssupports staff who have to make decisions about sharing information. This advice includes the seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (UK GDPR).

Information Sharing: Advice for Safeguarding Practitioners (https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

DPA and UK GDPRdo notprevent the sharing of information for the purposes of keeping children safe and promoting their welfare. If in any doubt about sharing information, staff should speak to the designated safeguarding lead or a deputy. Fears about sharing informationmust notbe allowed to stand in the way of the need to safeguard and promote the welfare of children.

All staff must report any concerns regarding Female Genital Mutilation (FGM)\*, and should report modern slavery, trafficking or exploitation.

\*Teachers have specific legal duty 2 Under Section 5B(11) (a) of the Female Genital Mutilation Act 2003; “teacher” means, in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).

### 8.2 What School and College Staff Should Do if They Have a Safeguarding Concern or an Allegation About Another Staff Member

If staff have safeguarding concerns or an allegation is made about another member of staff (including supply staff, volunteers, and contractors)posing a risk of harm to children, then:

* This should be referred to the headteacher or principal;
* Where there are concerns/allegations about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee or proprietor of an independent school; and
* In the event of concerns/allegations about the headteacher, where the headteacher is also the sole proprietor of an independent school, or a situation where there is a conflict of interest in reporting the matter to the headteacher, this should be reported directly to the local authority designated officer(s) (LADOs).

If staff have a safeguarding concern or an allegation about another member of staff (including supply staff, volunteers or contractors) thatdoes notmeet the harm threshold, then this should be shared in accordance with the school or college low-level concerns policy. See Allegations, below.

See also: Managing Allegations Against People who work with Children Procedure.

This part of the KCSIE guidance has two sections covering the two levels of concerns and allegations:

1. Concerns / allegations thatmaymeet the harm threshold;
2. Concerns / allegations thatdo notmeet the harm threshold – referred to for the purposes of this guidance as ‘low-level concerns’.

Part 4 Section 1 of KCSIEsets out the actions that should be enacted where it is alleged that anyone working in the school or college, including supply teachers, volunteers and contractors has:

Part 4 Section 1 of KCSIE (https://www.keepingchildrensafeineducation.co.uk/part\_four\_alleg.html#section\_one)

* Behaved in a way that has harmed a child, or may have harmed a child; and/or
* Possibly committed a criminal offence against or related to a child; and/or
* Behaved towards a child or children in a way that indicates they may pose a risk of harm to children; and/or
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children.NOTE:this bullet point includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children, this is known as transferable risk.

Where appropriate, an assessment of transferable risk to children with whom the person works should be undertaken. If in doubt seek advice from the local authority designated officer (LADO).

It is important that policies and procedures make clear to whom allegations should be reported  and that this should be done without delay. A ‘case manager’ will lead any investigation. This will be either the headteacher or principal, or, where the headteacher is the subject of an allegation, the chair of governors or chair of the management committee and for an independent school it will be the proprietor.

From this point on KCSIE sets out in Part 4 the actions that should or must be taken where any of the above concerns are raised from the initial response, considering suspension, what to do if the allegations are substantiated or if they are not substantiated through to learning the lessons from the matter.It is strongly recommended that this section ofKCSIEis referred to and guides all actions following an allegation.

KCSIE (https://www.keepingchildrensafeineducation.co.uk/part\_four\_alleg.html)

Part 4, Section 2 of KCSIEaddresses concerns or allegations that do not meet the harm threshold.

Part 4, Section 2 of KCSIE (https://www.keepingchildrensafeineducation.co.uk/part\_four\_alleg.html#sectiontwo)

Governing bodies and proprietors should have policies and processes to deal with any concerns or allegations which do not meet the harm threshold, referred to in this guidance as ‘low-level’ concerns. It is important that schools and colleges have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children.

* Low-level concerns and what they might be;
* Sharing low-level concerns;
* Recording low-level concerns;
* References;
* Responding to low-level concerns.

### 8.3 What School or College Staff Should Do if They Have Concerns About Safeguarding Practices Within the School or College

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

Appropriate whistleblowing procedures should be in place for concerns to be raised with the school’s or college’s senior leadership team. See also: Whistleblowing or Raising Concerns at Work Procedure.

Where staff feel unable to raise an issue with their employer or feel that their genuine safeguarding concerns are not being addressed,NSPCC whistleblowing advice lineis available.

NSPCC whistleblowing advice line (https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/)

* Staff can call 0800 028 02858:00 AM to 8:00 PM, Monday to Friday and 9:00 to 6:00 at the weekend; or
* Email:help@nspcc.org.uk.

help@nspcc.org.uk (mailto:help@nspcc.org.uk)

Alternatively, staff can write to:

National Society for the Prevention of Cruelty to Children (NSPCC),Weston House,42 Curtain Road,London,EC2A 3NH.

### 8.4 Actions Where There are Concerns About a Child

Taken fromKCSIE, What school and college staff should do if they have concerns about a child.

KCSIE, What school and college staff should do if they have concerns about a child (https://www.keepingchildrensafeineducation.co.uk/part\_one\_sg\_info.html#sch\_concerns)

9. Safer Recruitment (/chapter/safeguarding-children-with-a-social-worker-looked-after-children-and-previously-looked-after-children-at-school#safer-recruitment)

## 9. Safer Recruitment

KCSIE, Safer Recruitmenthas four sections regarding safer recruitment. This section of KCSIEmustbe adhered to when recruiting and selecting staff.

KCSIE, Safer Recruitment (https://www.keepingchildrensafeineducation.co.uk/part\_three\_safe\_recruit.html)

The four sections are:

* The recruitment and selection process;
* Pre-appointment and vetting checks, regulated activity and recording of information;
* Other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings; and
* How to ensure the ongoing safeguarding of children and the legal reporting duties on employers.

See also:Guidance for Safe Recruitment, Selection and Retention for Staff and Volunteers.

Guidance for Safe Recruitment, Selection and Retention for Staff and Volunteers (

## 10. Assisting Children with a Social Worker, Looked After Children and Previously Looked After Children to Reduce Behaviour that May Place Them at Risk

There is a whole range of behaviours that Children with a Social Worker, Looked After and Previously Looked After Children could be involved in which may place them at risk.

It is important to be aware that some children with a social worker will become Looked After.

A child going missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation.

School and college staff should follow their procedures for unauthorised absence and for dealing with children who  go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual or criminal exploitation, and to help prevent the risks of going missing in future. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, female genital mutilation and forced marriage.

Further information about children at risk of missing education can be found in theChildren Missing Education - Statutory guidance for local authorities.

Children Missing Education - Statutory guidance for local authorities (https://www.gov.uk/government/publications/children-missing-education)

Where necessary, theChildren Missing from Care, Home and Education Proceduremust be followed.

Children Missing from Care, Home and Education Procedure (children-missing-from-

## 11. When a Child is Absent from School

The residential staff/carer must notify the school and the child's social worker immediately if the child does not attend school for any reason.

In any case where the child has been absent from school for more than 10 days, the social worker should liaise with the school, the child, residential staff/carers and any other relevant person to address:

* The reasons for the absence;
* How to ensure the child returns to education as soon as possible;
* Whether and how the child can be helped to catch up on what they have missed.

## 12. School Suspensions and Exclusions

See also:Guidance: Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England.

Guidance: Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England (https://www.gov.uk/government/publications/school-exclusion)

Every Looked After child’s Personal Education Plan (PEP) should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion.

Where a pupil has a social worker, e.g. because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the headteacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil’s parents to involve them all as early as possible in relevant conversations.

Where a Looked After child is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority’s VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child’s behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child’s social worker, foster carers, or children’s home workers.

Where Previously Looked After children face the risk of being suspended or permanently excluded, the school should engage with the child’s parents and the school’s DT. The school may also seek the advice of the VSH on strategies to support the pupil.

If a pupil with a social worker, or a pupil who is Looked After, is suspended or permanently excluded, the headteacher must without delay notify the social worker and/or VSH, as applicable.

Where a Looked After Child is excluded from school, the child's social worker must inform the child's Independent Reviewing Officer.

Where a Looked After child is excluded, the school should document the provision of immediate suitable education in the child’s PEP.

In the case of a Looked After child or child with a social worker, the school and the local authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion.

Where the governing board is considering reinstating a suspended or permanently excluded pupil, they should ask for any written evidence in advance of the meeting, including witness statements. Witness statements can be gathered from the headteacher, the pupil’s teachers, the designated safeguarding lead, the pupil themselves, the pupil’s parent(s) and if applicable, the Designated Teacher for Looked After children. Where possible, written statements should also be gathered from the pupil’s social worker, and for Looked After children, the VSH. The governing board must consider (inter alia) any representations made by the child’s social worker and, if the pupil is Looked After, the VSH. If the pupil is Previously Looked After, the VSH should provide advice and information, upon request from relevant parties such as the Designated Teacher, parents, etc. The VSH should, as far as possible, attend the governing board meeting to share information where the pupil is a looked-after child. This should include helping the governing board to understand the pupil’s background and circumstances. They should also be able to advise the board on the possible contribution that the pupil’s circumstances could have made to the suspension or permanent exclusion.

## 13. Keeping Young People Safe in Universities and Colleges

The House of Commons Library Briefing on 'Sexual Harassment in Education' acknowledges that Universities and Colleges of Further Education face different challenges to school with regard to the welfare and protection of students because most students are adults. It is therefore complicated where students are living and socialising together. Nevertheless, such bodies, 'have a duty under the Equalities Act 2010 to eliminate discrimination, to promote equality and to foster good relations between groups. These duties must be implemented whilst allowing adult students freedom and autonomy. This can be a difficult balance to achieve'.

See:Guidance for Higher Education Institutions - How to Handle Alleged Student Misconduct Which May also Constitute a Criminal Offence (Universities UK)andChanging the culture: our work on tackling harassment.

Guidance for Higher Education Institutions - How to Handle Alleged Student Misconduct Which May also Constitute a Criminal Offence (Universities UK) (https://www.universitiesuk.ac.uk/sites/default/files/field/downloads/2021-07/guidance-for-higher-education-institutions.pdf)

Changing the culture: our work on tackling harassment (https://www.universitiesuk.ac.uk/topics/equality-diversity-and-inclusion/changing-culture-our-work-tackling)

Previously Looked After Children attending a university or college should be encouraged and assisted to make themselves aware of their university's policies and practice on this and, where appropriate and wanted, seek out services and resources, (on or off campus), that might offer ongoing support to a Previously Looked After Child who might need or require this.

## 14. Information Sharing and Managing the Child Protection File

The designated safeguarding lead is responsible for ensuring that child protection files are kept up to date.

Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should 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 designated safeguarding lead should:

* Ensure the file is only accessed by those who need to see it and where the file or content within it is shared, this happens in line with information sharing advice as set out inInformation sharing advice for safeguarding practitioners (GOV.UK);
* Support staff who have to make decisions about sharing information. This advice includes the seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (UK GDPR). SeeInformation Sharing Procedure;
* Where children leave the school or college (including in year transfers), ensure that their child protection file is transferred to the new school or college 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. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and special educational needs co-ordinators (SENCO’s) or the named person with oversight for SEND in colleges, are aware as required.

Information sharing advice for safeguarding practitioners (GOV.UK) (https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

Information Sharing Procedure (information-sharing)

Lack of information about their circumstances can impact on the child’s safety, welfare and educational outcomes. In addition to the child protection file, the designated safeguarding lead should also consider if it would be appropriate to share any additional information with the new school or college in advance of a child leaving to help them put in place the right support to safeguard this child and to help the child thrive in the school or college. For example, information that would allow the new school or college to continue supporting children who have had a social worker and been victims of abuse and have that support in place for when the child arrives.

## 15. Further Information

KCSIEcontains an extensive list of links to organisations, documents, guidance and other material that could assist any professional dealing with the issues raised in this chapter.

KCSIE (https://www.keepingchildrensafeineducation.co.uk/annex\_b.html)

The following are some of those links which may be of particular interest.

### Legislation, Statutory Guidance and Government Non-Statutory Guidance

Designated Teacher for Looked After and Previously Looked After Children

Designated Teacher for Looked After and Previously Looked After Children (https://www.gov.uk/government/publications/designated-teacher-for-looked-after-children)

Keeping Children Safe in Education- All staff in a school or college should read Part One of the guidance.

Keeping Children Safe in Education (https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

Relationships and Sex Education (RSE) and Health Education

Relationships and Sex Education (RSE) and Health Education (https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education)

Behaviour and Discipline in Schools

Behaviour and Discipline in Schools (https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools)

Data Protection In Schools

Data Protection In Schools (https://onetouchhealth.sharepoint.com/sites/TrixData/TrixSharedData/AMENDMENTS%20REGISTER/ARCHIVE/JUNE%202023/Data%20Protection%20In%20Schools)

Multi-agency statutory guidance on female genital mutilation (GOV.UK)

Multi-agency statutory guidance on female genital mutilation (GOV.UK) (https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation)

Special Educational Needs and Disability Code of Practice: 0 to 25 years: Statutory Guidance for Organisations who work with and Support Children and Young People with Special Educational Needs and Disabilities

Special Educational Needs and Disability Code of Practice: 0 to 25 years: Statutory Guidance for Organisations who work with and Support Children and Young People with Special Educational Needs and Disabilities (https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/398815/SEND\_Code\_of\_Practice\_January\_2015.pdf)

Behaviours in schools

Behaviours in schools (https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools)

Searching, screening and confiscation at school (GOV.UK)Guidance explaining the powers schools have to screen and search pupils, and to confiscate items they find.

Searching, screening and confiscation at school (GOV.UK) (https://www.gov.uk/government/publications/searching-screening-and-confiscation)

Guidance: Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England

Guidance: Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England (https://www.gov.uk/government/publications/school-exclusion)

School Admissions Code

School Admissions Code (https://www.gov.uk/government/publications/school-admissions-code--2)

Mental Health and Behaviour in Schools - Guidance

Mental Health and Behaviour in Schools - Guidance (https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2)

Regulated Activity in Relation to Children: Scope

Regulated Activity in Relation to Children: Scope (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/550197/Regulated\_activity\_in\_relation\_to\_children.pdf)

Prevent duty guidance (GOV.UK)

Prevent duty guidance (GOV.UK) (https://www.gov.uk/government/publications/prevent-duty-guidance)

The Prevent Duty: Safeguarding Learners Vulnerable to Radicalisation (GOV.UK)

The Prevent Duty: Safeguarding Learners Vulnerable to Radicalisation (GOV.UK) (https://www.gov.uk/government/publications/the-prevent-duty-safeguarding-learners-vulnerable-to-radicalisation)

Prevent Duty Self-assessment Tool for Schools (GOV.UK)

Prevent Duty Self-assessment Tool for Schools (GOV.UK) (https://www.gov.uk/government/publications/prevent-duty-self-assessment-tool-for-schools)

Safeguarding children who may have been trafficked (GOV.UK)

Safeguarding children who may have been trafficked (GOV.UK) (https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance)

Female genital mutilation (GOV.UK)- These documents raise awareness of female genital mutilation (FGM) and provide advice on preventative measures.

Female genital mutilation (GOV.UK) (https://www.gov.uk/government/collections/female-genital-mutilation)

Disrespect NoBody campaign (GOV.UK)- Information and documents related to the Disrespect NoBody campaign, which helps young people understand what a healthy relationship is.

Disrespect NoBody campaign (GOV.UK) (https://www.gov.uk/government/collections/disrespect-nobody-campaign)

Working Together to Improve School Attendance- Guidance to help schools, academy trusts, governing bodies and local authorities maintain high levels of school attendance, including roles and responsibilities.

Working Together to Improve School Attendance (https://www.gov.uk/government/publications/working-together-to-improve-school-attendance)

### Good Practice Guidance

Safety Planning in Education (Centre of Expertise on Child Sexual Abuse)- a guide for professionals supporting children following incidents of harmful sexual behaviour.

Safety Planning in Education (Centre of Expertise on Child Sexual Abuse) (https://www.csacentre.org.uk/documents/safety-planning-in-education/)

Beyond Referrals: Harmful Sexual Behaviour (Contextual Safeguarding)- self-assessment resource for schools.  The Beyond Referrals self-assessment toolkits can be used to identifywhat you are doing wellto mitigate against the harm risks in your school or college, and toidentify areas for development and improvement.

Beyond Referrals: Harmful Sexual Behaviour (Contextual Safeguarding) (https://www.contextualsafeguarding.org.uk/resources/toolkit-overview/beyond-referrals-harmful-sexual-behaviour/)

Resources for Education Settings - Centre of Expertise on Child Sexual Abuse

Resources for Education Settings - Centre of Expertise on Child Sexual Abuse (https://www.csacentre.org.uk/knowledge-in-practice/practice-improvement/education-resources/)

Sexting: how to respond to an incident- UK Council for Child Internet Safety.

Sexting: how to respond to an incident (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/647389/Overview\_of\_Sexting\_Guidance.pdf)

The Risk of Online Sexual Abuse (ROSA) Project- report on research with young people between the ages of 10-18 who had exhibited technology-assisted harmful sexual behaviour (TA-HSB).

The Risk of Online Sexual Abuse (ROSA) Project (https://www.cycj.org.uk/resource/rosa/)

### Useful Websites

StopItNow – Preventing harmful sexual behaviour in children- Stop It Now provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline.

StopItNow – Preventing harmful sexual behaviour in children (https://www.stopitnow.org.uk/concerned-about-a-child-or-young-persons-sexual-behaviour/preventing-harmful-sexual-behaviour/)

The National Grid for Learning - Safeguarding

The National Grid for Learning - Safeguarding (https://national.lgfl.net/digisafe)