



Safeguarding and Child Protection Policy

Owner	Designated Safeguarding Lead
Date Ratified by Governing Body:	January 2020
Next Review Date	September 2020
Links to other Policies:	Whistle Blowing

INTRODUCTION

Education-My Life Matters (EMLM) provision fully recognises the responsibility it has under section 175 of the Education Act 2002, to have arrangements in place to safeguard and promote the welfare of children.

Through our day-to-day contact with learners and direct work with families, staff at EMLM have a crucial role to play in noticing indicators of possible abuse or neglect and referring them to Children Social Care.

This policy sets out how Education-My Life Matters Directors discharges its statutory responsibilities relating to safeguarding and promoting the welfare of children who are learners at this provision. Our policy applies to all staff, paid and unpaid, working in the provision; including Directors, Learning Support Assistants, Support Staff, Mentors as well as Teachers. Concerned parents/carers may also contact the provision and its Directors to report any safeguarding concerns.

This policy has been developed in accordance with the principles established by the Education and Inspectors Bill 2006; and in line with government publications and guidance:

- Keeping Children Safe in Education (KCSIE), 2019
- Working Together to Safeguard Children, 2018
- Framework for the Assessment of Children in Need and their Families 2000
- What to do if You are Worried a Child is Being Abused, 2006, DfE
- Education for Children with health needs who cannot attend school, 2013
- SEND Code of Practice 0-25, 2014 (Updated Jan 2015)
- The UK Equality Act, 2010
- Lewisham Safeguarding Children Board guidance.
- National Minimum Standards

All members of staff are provided with an electronic copy of KCSIE, 2019, with new staff being provided with a copy as part of the provision's induction process.

This is consistent with the Local Safeguarding Children Board (LSCB) procedure.

There are four main elements to our policy:

PREVENTION through the teaching, mentoring and pastoral support offered to learners and the creation and maintenance of a protective ethos within the provision.

PROCEDURES for identifying and reporting cases, or suspected cases of abuse. The definitions of the four categories of abuse are attached (see Appendix A&B).

SUPPORTING VULNERABLE CHILDREN those who may have been abused or witnessed violence towards others.

PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN_disclosure and barring

1.0 PREVENTION

1.1 We recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult help to protect children.

1.2 Education My Life Matters will therefore:

- establish and maintain an environment where learners feel safe in both the real and the virtual world and are encouraged to talk and are listened to
- ensure learners know that there are adults in the provision whom they can approach if they are worried or in difficulty and their concerns will be taken seriously and acted upon as appropriate
- include in the curriculum activities and opportunities which equip learners with the skills they need to stay safer from abuse both in the real and the virtual world and information about who to turn to for help
- Include in the curriculum material which will help learners develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills

2.0 PROCEDURES

2.1 We will follow the procedures set out in the Lewisham Local Safeguarding Children Board “Core Inter-Agency Procedures”. A copy of these procedures can be found on the LSCB <http://www.lewisham.gov.uk/myservices/socialcare/children/Safeguarding-Children-Board/>

2.2 **The Designated Senior Members of staff for Child Protection are:**

- **Tameka Prince – Designated Safeguarding Lead**
- **Mark Reid – Deputy Designated Safeguarding Lead**

The nominated governor for Safeguarding and Child Protection is:

- **Denzil Bell**

2.3 The provision will:

- ensure there is a designated safeguarding lead (DSL) who has lead responsibility for child protection in the provision and has undertaken child protection training course.
- ensure that this training is updated every two years in accordance with government guidance

- recognise the importance of the role of the designated person/s and ensure they have the time, training and support necessary to undertake their duties which include, providing advice and support to staff, taking part in inter-agency meetings and contributing to the assessment of children in need
- ensure every member of staff, paid and unpaid know who the designated members of staff are and the procedures for passing on concerns from the point of induction (see Appendices B & C)
- ensure every member of staff, paid and unpaid know what the contingency arrangements are for when the designated members of staff are not available. In the absence of Tameka Prince, any concerns should be referred to Mark Reid.
- ensure that the designated members of staff take advice from the appropriate local authority's Children Social Care when managing complex cases. The Designated Persons have access to the MASH Team run by Children's Social Care. The contact numbers for Lewisham are 020 8314 6660 or 020 8314 7431. For Out-of-hours services from 6pm – 8am contact the Lewisham Town Hall switchboard on 020 8314 6000 and request the emergency duty social worker.
- consider having a nominated director for safeguarding and child protection who has undertaken appropriate training. The nominated IEB Member is Denzil Bell.

Education-My Life Matters will ensure every member of staff and directors knows:

- the name of the designated person/s and their role
- how to identify the signs of abuse and neglect
- how to pass on and record concerns about a learner
- that they have an individual responsibility to be alert to the signs and indicators of abuse and for referring child protection concerns to the Designated Person/s
- that they have a responsibility to provide a safe environment in which learners can learn
- where to find the Core Inter – Agency Procedures on the LSCB website

2.3.2 Education-My Life Matters provision will provide Child Protection training for **all** staff from the point of their induction and therefore annually to provide them with relevant skills and knowledge to safeguard children effectively; and so that they are confident about:

- the provision's legislative responsibility
- their personal responsibility
- the provision's policies and procedures
- the need to be alert to the signs and indicators of possible abuse, including possible *child sexual exploitation and female genital mutilation*
- the need to record concerns (see Appendix E)
- how to support and respond to a learner who tells of abuse

2.3.3 Education-My Life Matters will ensure that all staff, paid and unpaid, recognise their duty and feel able to raise concerns about poor or unsafe practice in regard to learners and that such concerns are addressed

sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies (see also Appendix F)

- 2.3.4 Education-My Life Matters will ensure that parents are informed of the responsibility placed on the provision and staff in relation to safeguarding and child protection by setting out these duties in the provision's Safeguarding and Child Protection policy published on the provision's *website*
- 2.3.5 Education-My Life Matters provision will ensure that this policy is available publicly either via the provision's website <http://www.emlm.org.uk> or from the provision's administrative office

Liaison with Other Agencies

2.4.1 Education-My Life Matters will:

- work to develop effective links with relevant services to promote the safety and welfare of all learners
- co-operate as required, in line with Working Together to Safeguard Children, 2018, (<https://www.gov.uk/.../working-together-to-safeguard-children>) with key agencies in their enquiries regarding child protection matters including attendance and providing written reports at child protection conferences and core groups

2.4.2 notify the relevant Social Care Unit immediately if:

- there is an unexplained absence of a learner who is subject to a Child Protection Plan
- there is any change in circumstances to a learner who is subject to a Child Protection Plan

Contact: Lewisham MASH Team
Tel: 020 7314 6660
Email: safeguardingboard@lewisham.gov.uk

2.5 **Record Keeping**

2.5.1 Education-My Life Matters will:

- keep clear, detailed, accurate, written records of concerns about learners (noting the date, event and action taken), even where there is no need to refer the matter to Social Care immediately (see Appendix E)
- ensure all records are kept securely, separate from the main learner's general file, and in a locked location

2.6 Confidentiality and information sharing

2.6.1 Child protection information will be stored and handled in line with the Data Protection Act 1998 principles. The Data Protection Act does not prevent the provision's staff from sharing information with relevant agencies, where that information may help to protect a learner.

2.6.2 Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that learners and parents do not have an automatic right to see them. If any member of staff receives a request from a pupil or parents to see child protection requests, they will refer the request to the Designated Person.

2.6.3 Education-My Life Matters will:

- ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the Designated Person or Social Care as required. *
- **Information sharing: Guidance for practitioners and managers** is available from Department of Education. <http://www.education.gov.uk>
- ensure that the Designated Persons will only disclose any information about a learner to other members of staff on a 'need to know' basis, including Domestic Violence notifications
- make all staff aware that they have a professional responsibility to share information with other agencies in order to safeguard learners
- ensure staff are clear with learners that they cannot promise to keep secrets. (see also Appendix F)

3 Communication with Parents/Carers

3.1 Education-My Life Matters will:

- ensure that parents/carers are informed of the responsibility placed on the provision and staff in relation to child protection by setting out its duties in the school prospectus/website.
- undertake appropriate discussion with parents/carers prior to involvement of another agency unless the circumstances preclude this action. If the provision believes that notifying parents could increase the risk to the child or exacerbate the situation, advice will be sought from Children Social Care. (*Further guidance on this can be found in the Core Inter-agency Procedures of the Local Safeguarding Children Board*):
<http://www.lewisham.gov.uk/.../children/Safeguarding-Children-Board/.../The-LSCB-approach-to-interagency-working.aspx>

4. SUPPORTING VULNERABLE CHILDREN

4.1 Some learners can find themselves in more vulnerable situations, all staff should be mindful of the following:

- child sexual exploitation (CSE)
- bullying including cyberbullying
- domestic violence
- drugs
- fabricated or induced illness
- faith abuse
- female genital mutilation (FGM)
- forced marriage
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- honour based killings
- signs of mental illness
- private fostering
- radicalization
- sexting
- teenage relationship abuse
- trafficking

4.1.1 We recognise that abuse or witnessing violence may have an adverse impact on those children which may last into adulthood without appropriate intervention and support.

4.1.2 We recognise that some vulnerable children may develop abusive behaviours and that these children need appropriate support and intervention.

4.2 Looked After Children

4.2.1 We recognise that the most common reason for children becoming looked after is as a result of abuse and/or neglect. Procedures for ensuring effective support for a looked after child, involves, making sure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. Information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her is also given to the appropriate staff. The Designated Safeguarding Lead/Designated Teacher for Looked After Children, will have details of the child's social worker. The name of the virtual Headteacher for Looked After Children in Lewisham Local Authority is Patrick Ward.

The Designated Director for Looked After Children at Education-My Life Matters is Ervin Hall.

4.2.2 **Education - My Life Matters will support Looked After Children through:**

- Curricular opportunities to encourage self-esteem and self-motivation
- Establishing an ethos that actively promotes a positive, supportive and safe environment and values them all in the EMLM community

- Ensuring the provision's behaviour policy supports the needs of vulnerable pupils whilst in the provision. The policy will ensure a consistent approach which focuses on the promotion of appropriate behaviour from the learner and which does not damage the learner's sense of self-worth. Education-My Life Matters will ensure that the learner knows that some behaviours are unacceptable, but s/he is valued and not to be blamed for any abuse which has occurred
- Liaison with other agencies which support the learner such as Children Social Care and Child and Adolescent Mental Health Services (CAMHS)
- A commitment to develop productive and supportive relationships with parents/carers
- Recognition that children living in a home environment where there is domestic abuse, drug or alcohol abuse or mental health issues are vulnerable and in need of support and protection
- Monitoring and supporting learner's welfare, keeping records and notifying Social Care in accordance with the Local Safeguarding Children Board "Core Inter - Agency Procedures" (<http://www.lewisham.gov.uk/.../children/Safeguarding-Children-Board/.../The-LSCB-approach-to-interagency-working.aspx>)

4.2.3 When a child is missing from education, the provision will follow the procedure as set out in City of London's Children Missing Education guidance and inform (http://cityoflondonchildren.proceduresonline.com/pdfs/ch_missing_education_pol.pdf) the Education Welfare Officer and Social Care if a child is subject to a Child Protection Plan or there have been ongoing concerns.

4.3 **Substance Misuse and Child Protection**

4.3.1 The discovery that a young person is misusing legal or illegal substances or reported evidence of their substance misuse is not necessarily sufficient in itself to initiate child protection proceedings but Education-My Life Matters will consider such action in the following situations:

When there is evidence or reasonable cause:

- to believe the learner's substance misuse may cause him or her to be vulnerable to other abuse such as sexual abuse
- to believe the learner's substance related behaviour is a result of abuse or because of pressure or incentives from others, particularly adults
- where the misuse is suspected of being linked to parent/carer substance misuse.

4.4 **Children of Substance Misusing Parents/Carers**

4.4.1 Misuse of drugs and/or alcohol is strongly associated with Significant Harm to children, especially when combined with other features such as domestic violence.

4.4.2 If the provision receives information about drug and alcohol abuse by a learner's parents/carers, we will follow appropriate procedures.

4.4.3 This is particularly important if the following factors are present:

- Use of the family resources to finance the parent's dependency, characterised by inadequate food, heat and clothing for the children
- learner exposed to unsuitable care givers or visitors, e.g. customers or dealers
- The effects of alcohol leading to an inappropriate display of sexual and/or aggressive behaviour
- Chaotic drug and alcohol use leading to emotional unavailability, irrational behaviour and reduced parental vigilance
- Disturbed moods as a result of withdrawal symptoms or dependency
- Unsafe storage of drugs and/or alcohol or injecting equipment

4.5 Domestic Abuse

4.5.1 Where there is Domestic Abuse in a family, the children/young people will always be affected; the longer the violence continues, the greater the risk of significant and enduring harm, which they may carry with them into their adult life and relationships.

4.5.2 If Education-My Life Matters is notified of Domestic Abuse incidents, *where the police have been called* and which involve children and young people at the provision, it will take appropriate action to ensure learners are kept safe in accordance with the Domestic Violence Guidance.

4.5.3 Mental illness in children

4.5.4 Children can develop the same mental health conditions as adults, but their symptoms may be different. Know what to watch for and how you can help. Mental illness in children can be hard for adults to identify; as a result, many children who could benefit from treatment don't get the help they need. It's typically up to the adults in a child's life to identify whether the child has a mental health concern. Unfortunately, many adults don't know the signs and symptoms of mental illness in children.

Even if you know the red flags, it can be difficult to distinguish signs of a problem from normal childhood behaviour. You might reason that every child displays some of these signs at some point. And children often lack the vocabulary or developmental ability to explain their concerns.

4.5.5 Concerns about the stigma associated with mental illness, the use of certain medications, and the cost or logistical challenges of treatment might also prevent parents from seeking care for a child who has a suspected mental illness.

4.5.6 Children can develop all of the same mental health conditions as adults, but sometimes express them differently. For example, depressed children will often show more irritability than depressed adults, who more typically show sadness.

4.5.7 Children can experience a range of mental health conditions, including:

- 4.5.8 Anxiety disorders. Children who have anxiety disorders — such as obsessive-compulsive disorder, post-traumatic stress disorder, social phobia and generalized anxiety disorder — experience anxiety as a persistent problem that interferes with their daily activities.
- 4.5.9 Some worry is a normal part of every child's experience, often changing from one developmental stage to the next. However, when worry or stress makes it hard for a child to function normally, an anxiety disorder should be considered.

Attention-deficit/hyperactivity disorder (ADHD). This condition typically includes symptoms in difficulty paying attention, hyperactivity and impulsive behaviour. Some children with ADHD have symptoms in all of these categories, while others might have symptoms in only one.

Autism spectrum disorder (ASD). Autism spectrum disorder is a serious developmental disorder that appears in early childhood — usually before age 3. Though symptoms and severity vary, ASD always affects a child's ability to communicate and interact with others.

Eating disorders. Eating disorders — such as anorexia nervosa, bulimia nervosa and binge-eating disorder — are serious, even life-threatening, conditions. Children can become so preoccupied with food and weight that they focus on little else.

Mood disorders. Mood disorders — such as depression and bipolar disorder — can cause a child to feel persistent feelings of sadness or extreme mood swings much more severe than the normal mood swings common in many people.

Schizophrenia. This chronic mental illness causes a child to lose touch with reality (psychosis). Schizophrenia most often appears in the late teens through the 20s.

- 4.6 What are the warning signs of mental illness in children?
- 4.7 Warning signs that your child might have a mental health condition include:
- 4.8 Mood changes. Look for feelings of sadness or withdrawal that last at least two weeks or severe mood swings that cause problems in relationships at home or school.
- 4.9 Intense feelings. Be aware of feelings of overwhelming fear for no reason — sometimes with a racing heart or fast breathing — or worries or fears intense enough to interfere with daily activities.
- 4.10 Behaviour changes. These include drastic changes in behaviour or personality, as well as dangerous or out-of-control behaviour. Fighting frequently, using weapons and expressing a desire to badly hurt others also are warning signs.
- 4.11 Difficulty concentrating. Look for signs of trouble focusing or sitting still, both of which might lead to poor performance in school.
- 4.12 Unexplained weight loss. A sudden loss of appetite, frequent vomiting or use of laxatives might indicate an eating disorder.

4.13 Physical symptoms. Compared with adults, children with a mental health condition might develop headaches and stomach-aches rather than sadness or anxiety.

4.14 Physical harm. Sometimes a mental health condition leads to self-injury, also called self-harm. This is the act of deliberately harming your own body, such as cutting or burning yourself. Children with a mental health condition also might develop suicidal thoughts or attempt suicide.

4.15 Substance abuse. Some children use drugs or alcohol to try to cope with their feelings.

4.16 Female Genital Mutilation (FGM)

4.16.1 Female genital mutilation includes procedures that intentionally alter or injure the female genital organs for non-medical reasons. It is a surprisingly common form of abuse in the UK.

4.16.2 FGM is carried out on children between the ages of 0–15, depending on the community in which they live. It is extremely harmful and has short and long term effects on physical and psychological health.

4.16.3 FGM is internationally recognized as a violation of the human rights of girls and women, and is illegal in most countries, including the UK.

4.16.4 All staff will be made aware of the possible signs and indicators that may alert them to the possibility of FGM. Any indication that FGM is a risk, is imminent, or has already taken place will be dealt with under the child protection procedures outlined in this policy.

4.16.5 The Designated Person will make appropriate and timely referrals to Social Care if FGM is suspected. In these cases, parents will not be informed before seeking advice. The case will still be referred to Social Care even if it is against the learner's wishes.

4.16.6 The duty applies to all regulated professionals working within health or social care, and teachers. There is mandatory requirement to report to police cases of 'visually identified' or 'verbally disclosed' cases of FGM in girls under 18.

Honour Based Killings

4.16.7 Honour based violence is the term used to describe murders in the name of so-called honour, sometimes called 'honour killings'. These are murders in which predominantly women are killed for perceived immoral behaviour, which is deemed to have breached the honour code of a family or community, causing shame. The Metropolitan Police definition of so-called honour based violence is: 'a crime or incident, which has or may be committed to protect or defend the honour of the family and/or community'.

4.16.8 Professionals should respond in a similar way to cases of honour violence as with domestic abuse and forced marriage (i.e. in facilitating disclosure, developing individual safety plans, ensuring the child's safety by according them confidentiality in relation to the rest of the family, completing individual risk assessments etc.).

4.17 Child Sexual Exploitation (CSE)

- 4.17.1 Child Sexual Exploitation involves exploitative situations, contexts and relationships where young people receive something (for example food, drugs, alcohol, gifts or in some cases simply affection) as a result of engaging in sexual activities.
- 4.17.2 Sexual exploitation can take many different forms from the seemingly 'consensual' relationship to serious organized crime involving gangs and groups.
- 4.17.3 Exploitation is marked out by an imbalance of power in the relationship and involves varying degrees of coercion, intimidation and sexual bullying including cyberbullying and grooming.
- 4.17.4 It is important to recognize that some young people who are being sexually exploited do not show any external signs of this abuse and may not recognize it as abuse.
- 4.17.5 Young people who go missing can be at increased risk of sexual exploitation and so procedures are in place to ensure appropriate response to children and young people who go missing, particularly on repeat occasions.
- 4.17.6 The provision will complete the LSCB Child Sexual Exploitation Risk Assessment Tool and refer to Children Social Care if there is a concern that a young person may be at risk.
- 4.17.7 Where peer abuse (child on child abuse) has been suspected or proven the protection of the victim should be considered first and foremost.
- 4.17.8 However, staff should be aware of the need to provide continuity of care for both parties; importance should also be attached to a child management and treatment plan for the young person who has displayed sexually harmful behaviour.

4.18 PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN

- 4.18.1 Education-My Life matters will operate safer recruitment practices including ensuring appropriate DBS and reference checks are undertaken according to the government *guidance 'Keeping Children Safe in Education' (2019)*
- 4.18.2 *The following members of staff have undertaken Safer Recruitment training:
Jacqui Fullerton (Admin Lead), Sheila Thompson (Consultant Head)*
- 4.18.3 Any allegation of abuse made against a member of staff will be reported straight away to the Designated Safeguarding Lead. In cases where the Designated Safeguarding Lead is the subject of an allegation, it will be

reported to the Education Strategic Lead. In the cases where the Strategic Lead is subject of an allegation such allegations will be reported to the Head teacher. Where the Head teacher is subject to an allegation, this will be reported to the chair of governors. Education-My Life Matters will follow the procedures as is set out in *Paragraph 31 to 34 of Keeping Children Safe in Education 2019*.

Education-My Life Matters will consult with the Local Authority Named Senior Officer in the event of an allegation being made against a member of staff and adhere to the relevant procedures set out in *Keeping Children Safe in Education*

- 4.8.5 The Named Designated Safeguarding Lead will liaise with the Local Authority Designated Officer (LADO) ensuring that all allegations are reported to the LADO within one working day. Following consultation with the LADO, the Named Senior Officer will advise on all further action to be taken. Please note that the Head of provision or Directors should **not** seek to interview the learner or members of staff involved until advice has been sought. Doing so may compromise any police interviews that may be necessary.
- 4.8.6 Education-My Life Matters will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full even when the member of staff is no longer employed at the provision and that notification of any concerns is made to the relevant authorities and professional bodies and included in references where applicable.
- 4.8.7 Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that learners are protected.
- 4.8.8 Consideration must be given to the needs of the child and recognition that a child may make an allegation against an innocent party because they are too afraid to name the real perpetrator. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen.
- 4.8.9 Education-My Life Matters will ensure that all staff, paid and unpaid, are aware of the need for maintaining appropriate and professional boundaries in their relationships with learners and parents/carers as advised within the Local Authority's Code of Conduct. Education-My Life Matters has a written Code of Conduct given to all staff. As part of the Induction process, all staff will receive guidance about how to create appropriate professional boundaries (in both the real and virtual world) with all learners, especially those with a disability or who are vulnerable.
- 4.9 All staff have signed to confirm that they have read 'Keeping Children Safe in Education' and the Education-My Life Matters Code of Conduct
- 4.9.1 Education-My Life Matters will ensure that staff and volunteers are aware that sexual relationships with pupils aged under 18 are unlawful and could result in legal proceedings taken against them under the Sexual Offences Act 2003 (Abuse of Trust).
- 4.9.2 Education-My Life Matters will ensure that communication between learners and adults, by whatever method, are transparent and take place within clear and explicit professional boundaries and are open to scrutiny.

- 4.9.3 Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity (See also Appendix H - DBS referral Guide summary of regulated activity with children))
- 4.9.4 For new volunteers in regulated activity who will regularly teach or look after learners on an unsupervised basis or provide personal care on a one-off basis an enhanced DBS certificate with barred list check is required.
- 4.9.5 For new volunteers not in regulated activity an enhanced DBS certificate will be required
- 4.9.6 If a volunteer is not engaging in regulated activity, Education-My Life Matters will use its professional judgment and experience to decide whether or not to seek an enhanced DBS check. Education-My Life Matters will consider:
- the nature of the work with learners;
 - what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
 - whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability; and
 - whether the role is eligible for an enhanced DBS check.
- 4.9.7 Safeguarding Vulnerable Groups Act 2006 removes supervised volunteers from regulated activity and applies a duty on the Secretary of State to issue guidance to assist regulated activity providers such as schools and colleges, decide what level of supervision is required before deciding whether or not an enhanced DBS check would apply.
- 4.9.8 If the volunteer is to be supervised while undertaking an activity this would be regulated activity and if unsupervised, the statutory guidance must be followed. The guidance issued following this change requires that:
- there must be supervision by a person who is in regulated activity;
 - the supervision must be regular and day to day; and
 - the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

5.0 OTHER RELATED POLICIES

5.1

- Health and Safety
- E-Safety and Acceptable Use
- Whistleblowing
- Complaints procedure
- Behaviour
- Single Central Record

- First Aid and Medicine Policy

5.2 Use of Mobile Phones Policy

5.2.1 Our policy on use of mobile phones, cameras and sharing of images recognises that personal mobile phones have the potential to be used inappropriately and therefore the provision has developed a policy to outline the required protocol for all staff, students, volunteers and parents/carers. The following guidance should be adhered to:

Staff

- During teaching time, while on recess supervision duty and during meetings, mobile phones will be switched off or put on 'silent' or 'discreet' mode and kept out of sight.

Learners

- When learners enter the provision's premises mobile phones should be handed into the Administrative Office or the Strategic Lead.

5.2.2 Inappropriate Use

Generally, a mobile phone is used inappropriately when it:

- disrupts or is likely to disrupt the learning environment or interfere with the learning provision; or
- threatens or is likely to threaten the safety or well-being of any person (adult or another learner); or is in breach of any law.

Any failure to follow these guidelines by any member of the Education-My Life Matters community will be dealt with in line with the relevant Behaviour Policy.

6.0 DIRECTORS CHILD PROTECTION RESPONSIBILITIES

6.1 The Directors of Education-My Life Matters fully recognises its responsibilities with regards to child protection and safeguarding and promoting the welfare of children. Directors are expected to have an enhanced DBS.

Directors will:

- nominate a director for safeguarding and child protection (Denzil Bell) who will monitor the Education-My Life Matter's compliance with statutory requirements and practice and champion child protection issues
- assess the effectiveness of the provisions Safeguarding and Child Protection Policy ensuring any weaknesses is rectified without delay
- ensure that this Safeguarding and Child Protection policy is annually reviewed and updated and shared with staff
- ensure that all Education-My Life Matters staff and volunteers have been DBS checked.

6.2.1 Where services or activities are provided off site Education-My Life Matters will ensure appropriate policies and procedures are in place for safeguarding learners and staff.

Appendix A

Four categories of abuse

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

Neglect - 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.

- It may occur during pregnancy as a result of maternal substance misuse.
- It may involve the neglect of or lack of responsiveness to a child's basic emotional needs.

It also includes parents or carers failing to:

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

Emotional Abuse - Is the persistent emotional maltreatment to cause severe and adverse effects on a child's emotional development.

It may involve conveying to a child that they are:

- Worthless
- Unloved
- Inadequate
- Valued only insofar as they meet another person's needs

It may include:

- not giving the child opportunities to express their views
- deliberately silencing them
- making fun' of what they say or how they communicate

It may also feature age or developmentally inappropriate expectations being imposed on children including:

- Interactions that are beyond the child's developmental capability
- Overprotection and limitation of exploration and learning
- Preventing participation in normal social interaction

It may involve:

- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying) causing children frequently to feel frightened or in danger
- The exploitation or corruption of children

Some level of emotional abuse is involved in all types of maltreatment 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.

This may involve:

- physical contact including assault by penetration (e.g. rape or oral sex)
- non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing

Non-contact activities involving:

- children in looking at, or in the production of, sexual images,
- children in watching sexual activities
- or encouraging children to behave in sexually inappropriate ways
- 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.

It may involve:

- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying) causing children frequently to feel frightened or in danger
- The exploitation or corruption of children

Some level of emotional abuse is involved in all types of maltreatment although it may occur alone.

Appendix B

Disclosure of abuse by the learner: The five R's

Where a learner discloses that he/she has been abused the following guidelines must be followed: -

RECEIVE

Listen without shock, disgust or disbelief and accept what is said. To communicate, "I believe you" is vital. (It may be

that it is not true but that is not for us to decide.) Give plenty of time and allow for plenty of silence.

REASSURE

It is helpful to the learner if the adult is able to communicate something of the following:

'You're not to blame, it's not your fault',
'You're very brave to have told someone'

But do NOT make promises that you are unable to keep:

- "I'll stay with you";
- "Everything will be ok now",
- "I won't let him hurt you again";
- "I won't tell anyone"

REACT

- Ask open-ended questions: "*Is there anything else you'd like to tell me?*"
- Do not ask leading questions (e.g. '*Did he also touch you anywhere he shouldn't have done?*') as this may invalidate any future legal proceedings.
- Do not ask 'accusing' questions: "*Why didn't you tell someone earlier?*" "*Why didn't you tell your Mum?*"
- Do not criticize the perpetrator: If it is a family member emotions are going to be horribly mixed but the family staying together may well be the preferred solution. Do not ask the pupil to repeat it all for any other member of staff.

RECORD

- Make notes as soon as possible afterwards. Do not record your assumptions and interpretations, just what you heard and saw. Do not destroy original notes even if you later write things up more neatly and fully.
- Record date, place, time, any non-verbal behaviour and words used to include '*pet*' sexual words (if any used). Draw a diagram if bruising is apparent to give exact location.

REFER

Confidentiality is an important principle but in cases of abuse no member of the EMLM community can maintain absolute confidentiality. Confidentiality cannot be promised to the pupil who is disclosing. Refer all cases to the DSL who will liaise with Social Care or LADO, or other agencies for such cases. In the absence of the DSL refer all cases to the DDSL, who will liaise with Social Care or LADO, or other agencies for such cases.

The Designated Lead will disclose any information about a pupil to other members of staff on a need to know basis only.

Education-My Life Matters will always undertake to share its intention to refer a child to Social Care with parents or guardians unless to do so could put a child at greater risk of harm or impede a criminal investigation. If in doubt, we will consult with the Social Care on this point.

Appendix C

What an adult must do if they suspect that abuse may have occurred

At Education-My Life Matters we complete a cause for concern form (Appendix E). If there are any doubts, discuss with the DSL, the DSL will make a decision as to which level of vulnerability the child is in. Advice or guidance can be obtained from the Local Authority MASH Team on 020 8314 6647 or 020 8314 6660.

1. Serious level

If the concern is **serious** it should be reported immediately to the Designated Safeguarding Lead persons for child protection. If it is clear that the child has been harmed or is at risk of being harmed, then the designated person will refer straight to the MASH Team of the child's residential borough. (Lewisham 0208 314 6660). Out-of-hours services from 6pm – 8am contact the Lewisham Town Hall switchboard on 020 8314 6000 and request the emergency duty social worker.

Responding to a disclosure (refer to Appendix)

The Designated person for safeguarding will:

- Obtain information from staff, volunteers, children or parents and carers who have child protection concerns and to record this information using the cause for concern form.
- Assess the information quickly and carefully and ask for further information as appropriate
- contact Referral and assessment and agree procedures including notification to parents and carers.
- Work closely with referral and assessment to put into action agreed procedures.

2. Complex level

If we are clear that the needs of the child and family are at the **complex level** and require a co-ordinated multi-agency response, we will obtain the informed consent of the parent/carer for sharing information.

- We will contact MASH who will help us identify which other agencies are already involved and whether a CAF assessment has been carried out. If necessary, a CAF assessment will be completed.
- We will set up a Team around the Child (TAC) meeting.
- The TAC will decide who is the most appropriate person to be the Lead Professional .
- If, following this process, the child is not benefiting from the help provided the child will be referred to CSC as a 'child in need'.
- If the child is in immediate danger anybody can make a referral.
- If the child's situation does not appear to be improving, the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point.

3. Vulnerable level

Ongoing concerns should be recorded on a ***Child Protection Monitoring Record Sheet and kept on the safeguarding database.***

Appendix D: Additional Information on Safeguarding

1. Whistleblowing

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so. All staff should be 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 any member of staff is dissatisfied with the way that the DSL has dealt with their concern over the welfare of a learner, they may contact the Strategic Education Lead. They are also

at liberty to contact Children's Services independently. Always remember that the welfare of the child is of paramount importance.

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

- All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues. If necessary, they should speak to the Designated Safeguarding Lead Child or the Local Authority MASH Team (020 8314 6660).

2. Risk Assessments

Our risk assessments fall into three main categories:

- Health and Safety
- Learners
- Curriculum

All located in the Risk Assessment file

3. Health and Safety

Education-My Life Matters health and safety policy is monitored regularly by the directors. The provision's Administrative Lead oversees the implementation policy. Any concerns from staff are reported to the Lead who carries out an initial examination, assessing what remedial action needs to take place. Each term there are two fire drills (one announced and one unannounced) that practices efficient evacuation from the buildings. TNG conducts an annual Fire Risk Assessment. There is also a critical incident plan that details what staff and learners should do in the case of emergencies.

See Health and Safety Policy

4. First Aid

There are trained members of staff who are assigned to oversee first aid. There are a number of first aid kits available on site. When a learner is not well, or has suffered an accident in the school there is a protocol for staff to follow:

- A trained first aider is consulted
- The incident is logged in the accident book which is held in the administrative office
- For head injuries a Head Note is issued
- If there is any doubt at all a parent/social worker is contacted.

See also: Policies for First Aid, Medicines

5. Attendance

Excellent attendance is a target for all our learners, however when learners are unwell parents/carers are expected to confirm absence by telephone. If there is no notification the provision will always call the parent/carer to ascertain the learner's whereabouts. The provision works closely with the learner's school/social workers whenever a learner's attendance and punctuality causes concern. Attendance is reported daily.

We understand the links between learners who might be at risk and poor attendance. In particular, we follow up on any learner who goes missing. We therefore:

- Work closely with the Schools/CSC
- Analyse attendance data Monitor attendance closely.

6. Photography and Images

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. Sadly, some people abuse children through taking or using images, so we must ensure that we have some safeguards in place.

To protect learners, we:

- Obtain parents/carers written consent for named photographs to be taken and published;
- Ensure learners are appropriately dressed;
- Encourage learners to tell us if they are worried about any photographs that are taken of them.

7. E-Safety

Most of our learners will use mobile phones, tablets and computers at some time. They are a source of fun, entertainment, communication and education. However, we know that some men, women and young people will use these technologies to harm children. The harm might range from sending hurtful or abusive texts and emails, to enticing children to engage in sexually harmful conversations, webcam photography or face-to-face meetings. Education-My Life Matters e-safety policy explains how we try to keep learners safe. Cyber-bullying by learners, via texts and emails, is treated as seriously as any other type of bullying and is managed through our anti-bullying procedures.

Chat rooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and learners are not allowed to access these sites whilst in the provision. Any photographs taken of the learners will be part of planned activities and should be taken with the provision's cameras only. If a parent/carer has not given permission for their child's photos to be published. Staff must respect this decision and ensure they do not place such photos on the provision's website or any other publication.

8. Physical intervention/Positive Handling

- If a learner needs to be restrained it will be recorded and signed by a witness.
- Staff who are likely to need to use physical intervention have been appropriately trained.
- We understand that physical intervention of a nature which causes injury or distress to a child may be considered under child protection or disciplinary procedures.

9. Off Site Visits

We have clear protocols in place to ensure the safety of learners whilst engaging in off-site activities. These include:

- Visits procedures to be documented by staff and agreed with the Educational Visits Coordinator (Head of Provision)

- Defined roles and responsibilities for school-based staff Risk assessments

Appendix E:

The following notes of guidance are intended to assist staff to deal with this difficult issue.

This guidance is not exhaustive and is designed to set out principles rather than to give detailed and specific advice. Clearly, the circumstances in which staff work vary (e.g. working with very young children, sports staff, etc.); this guidance is meant to give general principles only.

1. The relationship between staff and learners is a professional one. It is fully expected and, indeed, hoped – that staff in the provision will have a friendly and caring relationship with learners; nevertheless, the basis of that relationship is professional not personal. It is suggested that a good test to apply is to reflect on whether the learner's parents/carer would be happy with the relationship if they were standing with you.
2. A personal relationship between staff and a learner is inappropriate unless it is with the full knowledge and consent of the learner's parents or guardians. Circumstances in which such a personal relationship may arise would be when your own children are friends with the learner or when you have a personal relationship with parents of the learner. It is not normally appropriate for a member of staff to meet with a learner out of school hours or off the premises except with the prior knowledge and consent of parents/carers and the provision.
3. In general, unnecessary physical contact with learners should be avoided. In some circumstances, physical contact between a member of staff and a learner is necessary and beneficial; it might be, for example, that a sports coach may need to demonstrate to a learner how to hold a racket or a teacher may give a learner a gentle pat on the back as encouragement. In rare circumstances it may be appropriate for members of staff to use reasonable restraint in circumstances where a learner is behaving in a manner which endangers him or herself or other people. In these situations, staff are advised to be very sensitive to the learner's likely reaction and to watch out for signs that the learner is apprehensive or uncomfortable. We all have our own personal space that needs to be protected. Wherever possible when working with learners, other people (adults, colleagues or pupils) should be present or the door should be open.
4. Over-familiar words and actions displays of affection, discussion of one's personal life or the personal life of the learner are normally inappropriate. Sexual innuendo is wrong in all circumstances. Staff are advised to avoid actions, words or expressions that could be interpreted as suggesting that they have an emotional relationship with any learner. In the professional staff-learner relationship it is not appropriate to single a learner out for favors or to suggest to a learner that he or she is a special friend. (see Appendices F & G)
5. By the nature of our provision we offer outreach mentoring. This therefore necessitates that staff will communicate with learners at home. However, except where absolutely necessary, personal email addresses, home or mobile phone numbers should not be given, asked for or used. A staff mobile phone number might be given to pupils for use during an educational visit; where possible, a mobile phone belonging to the provision should be used for this purpose. Pastoral matters should not normally be dealt with by personal email or using personal phone contacts. Only in the most exceptional circumstances, for

instance, where there is well-founded concern for the unexplained whereabouts of a pupil, should pastoral matters be dealt with by personal email or using personal phone contact. In any event, records of all contacts should be kept on the learner's file so that if it is necessary to use email or personal contact, the reason why will be specified in the written record. It is very difficult to envisage circumstances under which individual texting is appropriate except through official channels.

6. It is not normally appropriate for learners to visit a member of staff in their own home.
7. Whenever possible when working with learners, other people (adults, colleague or pupils) should be present or the door should be open. All members of staff who in the course of their professional duties need to work on a one-to-one basis with a pupil (e.g. a 1 to 1 mentoring session, a math tutorial, etc.), in particular one of the opposite sexes, are advised to take care to ensure that the circumstances of the meeting or lesson are always entirely professional. Staff are advised to use a room which has vision panels in the door or keep the door open and ensure that colleagues know that the meeting or lesson is taking place. Similarly, where it is necessary for staff to drive learners in their own cars, for example to transport from home to provision or vice versa, the provision will ensure that they are not written consent is obtained.
8. Staff must avoid threatening words, raised voices and any aggressive contact such as holding, pushing, pulling or hitting, which could amount to or which could be interpreted as a criminal assault.
9. Members of staff do have the right to use reasonable physical force to restrain learners in order to prevent them from committing a criminal offence, injuring others or themselves, damaging property or behaving in such a way as to compromise good order and discipline. Current DFE guidance is contained in 'Using reasonable force: advice for Head teachers, staff and Governing bodies' (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393770/Behaviour_and_Discipline_in_Schools_A_guide_for_headteachers_and_school_staff_080115.pdf). Members of staff must also ensure that they are familiar with the Provision's Restricted Physical Intervention policy.
10. Social networking sites, used for personal use, such as Facebook, Twitter, Instagram and other social media, pose risks for all staff in terms in terms of professional integrity and the welfare of pupils. Staff must not use these sites to contact or communicate with pupils or learners that have recently left. Ex-learners under the age of 18 of who are still in full time education should not be communicated with via social media.
 - To view such pages may alter your judgment of learners, to be known to be viewing them may alter a learner's view of you, and to comment to pupils about what you have seen is likely to have an impact on your professional reputation as well as possibly causing distress to learners concerned.
 - Caution should also be taken when staff become friends with parents of learners at the provision. When posting or commenting on posts within social media staff should ensure that they do not put themselves at risk of any accusations or bring the provision into disrepute.
 - Should you become aware of material about yourself, the provision, or a learner which is inappropriate, the Leadership Team should be informed, and they will instruct a member of staff to check the allegations and inform the appropriate authorities. Staff should not check it out themselves.

- Social networking sites used for professional use, such as LinkedIn, Twitter, YouTube, and other social media, pose risk for all staff in terms of professional integrity and the welfare of learners.
- Before using social media for professional purposes, or as part of their teaching, staff should seek guidance and training on the risks associated with using social media.
- Staff should not follow learners' personal twitter feeds even though it is likely that learners will be following them. It may be appropriate to follow learners if done as part of an educational activity, but this should be properly risk assessed and not using pupils' personal accounts.
- Staff are advised not to accept connection requests on sites such as LinkedIn from pupils. Accepting requests from ex-pupils post 16 or 18 should be used with care and thought given to how much information is visible to connections – phone numbers, email addresses etc.
- All content posted will be linked to you and your employer. Should you become aware of material about yourself, the provision, a learner, or a colleague, which is inappropriate, the Leadership Team (SLT) must be informed and they will instruct a member of staff to check the allegations and inform the appropriate authorities.

Annex F

Responsibilities of the Safeguarding Designated Officer include but are not limited to:

To act as a source of support, advice and expertise within the provision when deciding whether to make a referral by liaising with relevant agencies.

Liaise with the LADO to inform him/her of any issues and ongoing investigations

Ensure that in their absence there is always a cover to undertake safeguarding duties.

Training

The safeguarding designated person is responsible for ensuring that all staff are trained on safeguarding issues. All staff will be trained to at least a Level 1, safeguarding training provided by the Local Safeguarding Board and will repeat the training on an annual basis. All newly recruited staff (teaching and non-teaching) will be given a copy of this policy and will be required to attend a relevant Local Safeguarding Board training. In addition, all new staff and temporary staff will be required to attend an induction session with the designated person or their deputy during their induction period. The designated person (and their Deputies) will attend the Local Safeguarding board's induction course and then refresher training every year.

The training will comprise of:

How to recognise and identify signs of abuse and when it is appropriate to make a referral.

Keeping a detailed, accurate and secure written records of referrals and concerns.

Having a working knowledge of how local safeguarding of learners' procedures operate, the conduct of a child protection case conference and be able to attend and contribute to these effectively when required to do so.

Ensuring each member of staff has access to and understands Education-My Life

Matters Safeguarding Policy and Procedure especially new staff who may work with different educational establishments.

Ensuring that all members of staff have induction training covering child protection and are able to recognise and report any concerns immediately they arise.

Obtain access to resources and attend any relevant or refresher training courses at least every two years.

Ensure that Level 2 training is undertaken every two years.

Ensure that Level 1 training is undertaken by other members of staff every three years.

Raising Awareness

Designated person will:

Ensure that the Education-My Life Matters Safeguarding Policy is updated and reviewed annually.

Ensure parents/carers can see copies of the Safeguarding Policy which alerts them to the fact that referrals may be made and the role that Education-My Life Matters plays in this, so as to avoid conflict later.

Radicalisation

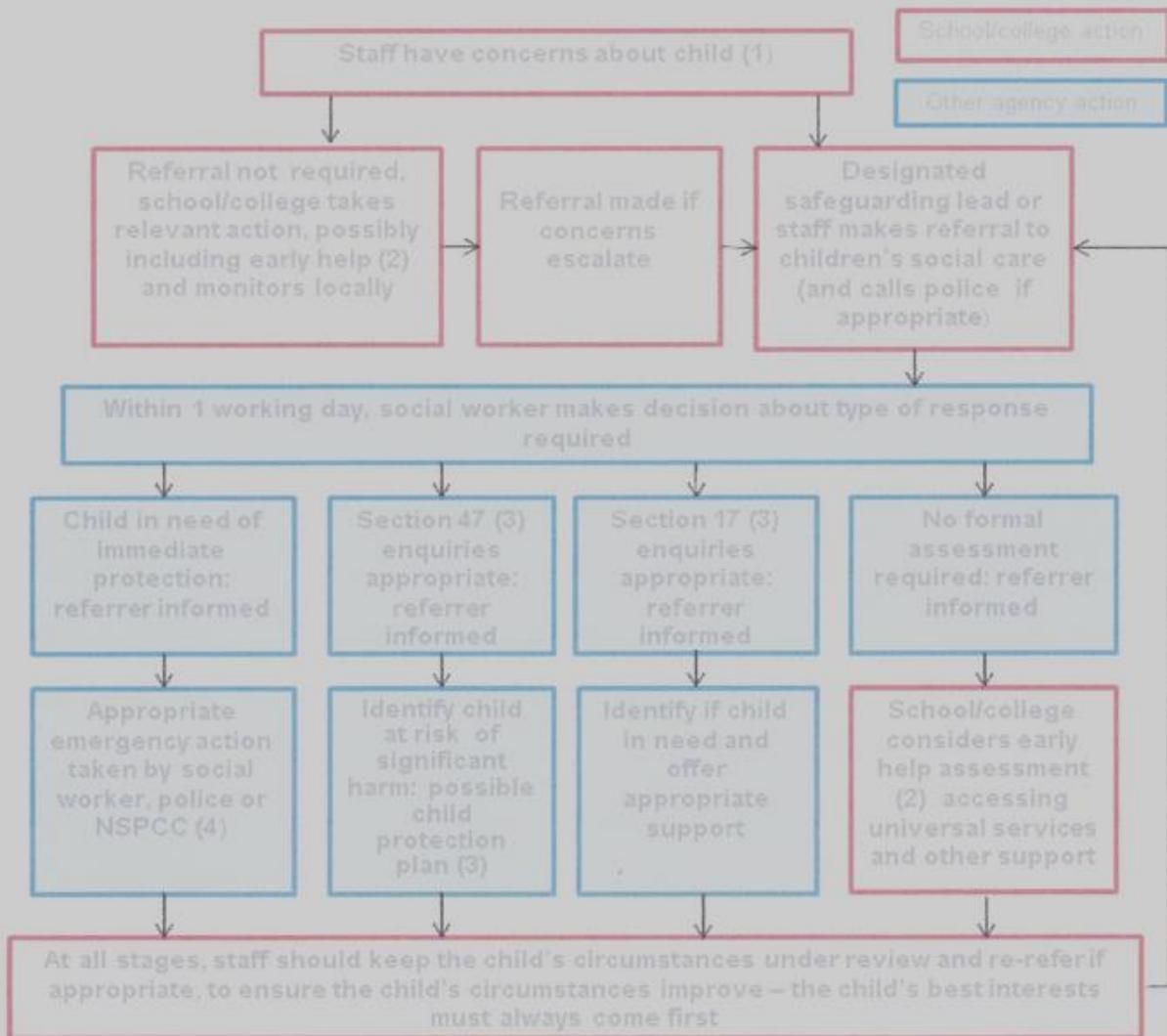
The Provision recognises the positive contribution it can make towards protecting its learners from radicalization towards violent extremism. The provision will continue to empower its learners to create communities, which are resilient to extremism; and to protect the wellbeing of learners who may be vulnerable to being drawn into violent extremism or criminal activity.

Radicalisation is the process by which individuals come to support terrorism or violent extremism. There is no typical profile for a person likely to become involved in extremism, or when they move to adopt violence in support of their particular ideology. Although a number of possible behavioural indicators are listed below, staff should use their professional judgement and discuss with colleagues or external partners if they have any concerns. Warning signs may include but not limited to:

- Using inappropriate language
- Possession of violent extremist literature or material
- Behavioural changes
- The expression of extremist views
- Advocating violent actions and means
- Association with known extremists or extremist groups (see also list of proscribed organisation on Home Office website)
- Seeking to recruit others to an extremist ideology or group.

If the provision has any significant concerns about a learner beginning to support terrorism and/or violent extremism, this will be referred to the designated lead. Concerns can also be discussed with the school/carers/social workers', local authority and local police. In the event of a criminal or terrorist offence, or concerns that such an offence may have taken place, the Police should be contacted immediately.

Actions where there are concerns about a child

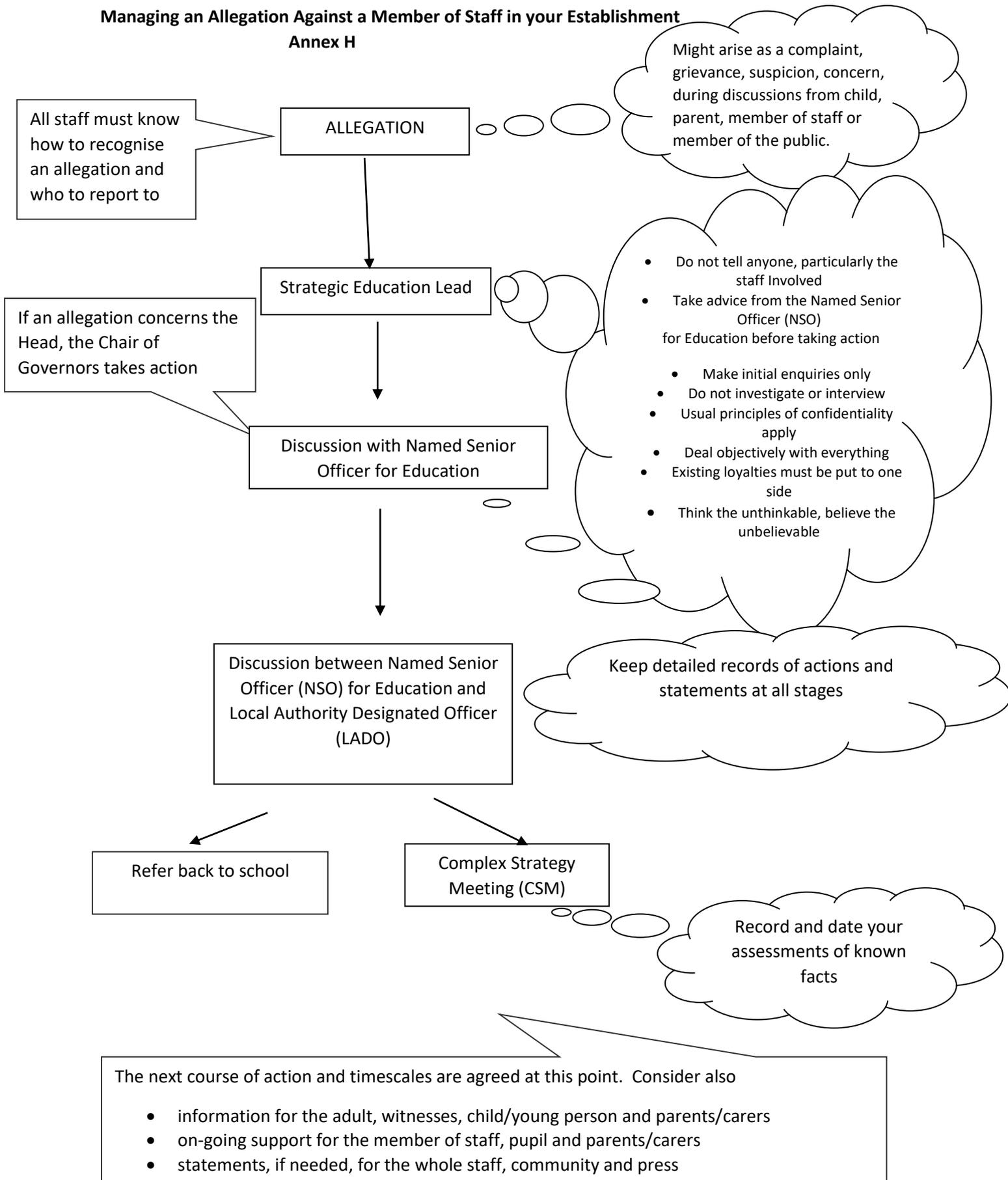


1. In cases which also involve an allegation of abuse against a staff member, see Part four of this guidance (keeping Children Safe in Education)
2. Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working together to safeguard children](#) provides detailed guidance on the early help process.

3. Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. This can include s17 assessments of children in need and s47 assessments of children at risk of significant harm. Full details are in Chapter one of [Working together to safeguard children](#)
4. This could include applying for an Emergency Protection Order (EPO).

Managing an Allegation Against a Member of Staff in your Establishment

Annex H



Annex I

Managing Allegations against other Pupils Policy

At Education-My Life Matters school and Alternative Provision, we believe that all learners have a right to attend school and learn in a safe environment. Learners should be free from harm by adults in the school and other learners.

We recognise that some learners will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's Behaviour Policy.

Safeguarding allegations

Occasionally, allegations may be made against learners by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that to be considered a safeguarding allegation against a pupil, some of the following features will be found.

The allegation:

- is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- is of a serious nature, possibly including a criminal offence
- raises risk factors for other pupils in the school
- indicates that other pupils may have been affected by this student
- indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a learner could include:

Physical Abuse

- violence, particularly pre-planned
- forcing others to use drugs or alcohol

Emotional Abuse

- blackmail or extortion
- threats and intimidation

Sexual Abuse

- indecent exposure, indecent touching or serious sexual assaults
- forcing others to watch pornography or take part in sexting

Sexual Exploitation

- encouraging other learners to attend inappropriate parties
- photographing or videoing other children performing indecent acts

In areas where gangs are prevalent, older learners may attempt to recruit younger pupils using any or all of the above methods. Young people suffering from sexual exploitation themselves may be forced to recruit other young people under threat of violence.

Minimising the risk of safeguarding concerns towards pupils from other students

Where learners present a safeguarding risk to other students, for example, they are coming back into the school/Provision following a period in custody or they have experienced serious abuse themselves, these learners will need an individual risk management plan to ensure that other learners are kept safe and they themselves are not laid open to malicious allegations. There will be a need to balance the tension between privacy and safeguarding.

What to do

When an allegation is made by a learner against another learner, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the Designated Safeguarding Lead (DSL) should be informed.

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

The DSL should contact Children Social Care to discuss the case. It is possible that Children Social Care are already aware of safeguarding concerns around this young person. The DSL will follow through the outcomes of the discussion and make a social services referral where appropriate.

The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both learners' files.

If the allegation indicates a potential criminal offence has taken place, the police should be contacted at the earliest opportunity and parents informed (of both the learner being complained about and the alleged victim).

It may be appropriate to exclude the learner being complained about for a period of time according to the school's behaviour policy and procedures.

Where neither social services nor the police accept the complaint, a thorough school investigation should take place into the matter using the school's usual disciplinary procedures.

In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.

The plan should be monitored, and a date set for a follow-up evaluation with everyone concerned.

Annex J



DBS referrals guide: summary of regulated activity with children

Purpose

This guide provides a summary of the main provisions of regulated activity relating to children. It is intended as a general aid. It is not legal advice or guidance and does not cover all aspects of regulated activity relating to children or cover all exceptions.

Activity of a specified nature

- teaching, training, instruction, care for or supervision of children (except if the person undertaking the activities is under regular supervision) if carried out by the same person frequently or overnight
- advice or guidance (except legal advice) provided wholly or mainly for children which relates to their physical, emotional or educational well-being if carried out by the same person frequently or overnight.

Activity within specified establishment

- any activity that is for or on behalf of the establishment with the opportunity for contact with children if carried out frequently:
- excepted is work by volunteers under regular supervision or occasional or temporary contract work that is not an activity of a specified nature listed above.
- specified establishments are schools, pupil referral units, academies, nursery schools, Further Education (FE) establishments mostly for children, institutions for the detention of children, children's homes, children's centres (in England), children's hospitals (in Northern Ireland) and childcare premises including nurseries.

Healthcare of a child (any frequency)

- healthcare provided to a child by a health care professional or by a person acting under the direction or supervision of a healthcare professional.
- a health care professional who is a person regulated by a professional healthcare regulator (i.e. a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002).
- health care includes: all forms of health care provided for children and includes physical, mental and palliative health care; diagnostic tests and investigative procedures and procedures similar to surgical or medical care, but not provided in connection with a medical condition.

Personal Care of a child (any frequency)

- physical help with eating or drinking for reasons of illness or disability.
- physical help with toileting (including menstruation), washing, bathing or dressing for reasons of age, illness or disability.
- prompting together with supervision when a child is otherwise unable to decide for themselves in relation to any of the above personal care activities.

training or advice given to a child in relation to any of the above personal care activities.

Moderating an online forum for children

Moderating a public electronic interactive communication service likely to be used wholly or mainly by children and carried out by the same person frequently. Except activity by a person who does not have access to the content of the matter or with users of the service.

Driving a vehicle used for conveying children

Driving a vehicle being used only for conveying children and their carers or supervisors under a contract or similar arrangement when carried out by the same person frequently.

Early years or later years childminding (any frequency)

Early or later years childminding where there is a requirement to register or for voluntary registration under the Childcare Act 2006 and where the activity takes place on domestic premises for reward.

Fostering a child (any frequency)

Day to day management of regulated activity (any frequency)

Day to day management on a regular basis, of a person who is providing a regulated activity in relation to children. This includes the supervisor of a person who would be in regulated activity if not under regular supervision.

Northern Ireland and Wales

Regulated activity with children in Northern Ireland and in Wales also includes a number of office holders that are not in regulated activity in England. Further information is available on the DBS website.

Other key exceptions to regulated activity relating to children

Family and Personal Relationships Excepted from regulated activity relating to children is any activity conducted in the course of a family relationship, or a personal relationship between friends for no commercial consideration.

Family relationships involve close family (e.g. parents, siblings, grandparents) and relationships between two people who live in the same household and treat each other as family.

Personal, non commercial relationships are arrangements where either no money changes hands, or any money that does change hands is not part of a commercial relationship (for example, gifting a friend money for petrol after they have driven you to the hospital), and the arrangement is made between friends or family friends.

Peer Groups

Excepted from regulated activity relating to children is a person who is part of a peer group and is assisting or under the direction of a person who is engaging in regulated activity.

For example, a student helping a teacher **Supervising a Child in Employment**

Excepted from regulated activity relating to children is a person who supervises a child in the course of the child's employment including work experience. However, it is regulated activity if the child is under 16 and it is carried out by an unsupervised person for whom arrangements exist principally for that purpose.

Definition of a Child

A child is a person aged under 18 years of age.

Statutory supervision guidance

To be supervised in accordance with HM Government statutory guidance, the supervision must be regular and day-to-day, by a person engaging in regulated activity and reasonable in all the circumstances for the protection of children. Further information is provided in the HM Government statutory supervision guidance available from the DBS website.

DBS check

An eligible organisation recruiting to a position (paid or unpaid) that falls within the definition of regulated activity relating to children, may request an applicant to obtain an enhanced DBS Check with barred list check to help determine their suitability for the position, prior to engaging them. Eligible staff in post may also be re-checked to help confirm their ongoing suitability. Further information on eligibility for DBS Checks is available on the DBS website.

Legislation and guidance

Regulated activity relating to children is defined in Schedule 4 to the Safeguarding Vulnerable Groups Act 2006 (as amended). Further information is provided in the HM Government Factual Note on regulated activity relating to children and statutory supervision guidance available from the [DBS website](#).

Any frequency means that doing the activity once or more is regulated activity.

Supervision as defined in statutory guidance on supervision.

Frequently means once a week or more or four or more times in any 30-day period.

Overnight means once or more between 2am and 6am with the opportunity for face to face contact with children