



MARLBOROUGH COLLEGE

Safeguarding and Child Protection Policy and Procedures

Contents

1. Key School Contact Details
2. Key External Contact Details
3. NMS Standard 11 – Child Protection
4. NMS Standard 14 – Staff Recruitment and Checks on Other Adults
5. Keeping Children Safe in Education 2021, September 2021
6. Working Together to Safeguard Children, July 2018
7. Wiltshire Safeguarding Thresholds Guidance, December 2018
8. The Prevent Duty: Departmental advice for schools and childcare providers, August 2015
9. Mental Health and behaviour in schools, November 2018
10. Other College Policies and Guidance
11. Policy Aims
 - 11.1 Education, Training and Prevention of harm
 - 11.2 Early Help
12. Mental Health and Safeguarding
13. Online Safeguarding
14. Children with special educational needs and disabilities or physical health issues
15. Information Sharing
16. Recruitment
17. Reporting to the Police
18. Child Protection Statement
 - 18.1 Low Level Concerns about an adult
 - 18.2 Young Carers
 - 18.3 Looked After Children (LAC)
19. The Role of the Designated Safeguarding Lead
20. Standing Guidelines to Staff on Child Abuse Matters

- 20.1 What is Child Abuse?
 - 20.2 Safeguarding and the Prevent Duty
 - 20.3 How should members of staff respond in order to help a child who discloses abuse?
 - 20.4 How should members of staff respond in order to help children where abuse is suspected?
 - 20.5 Allegations of abuse against teachers and other staff
 - 20.6 What happens when the child is back in the classroom?
 - 20.7 What are the signs of Child Abuse that members of staff should be alert to?
- 21. Record-keeping
 - 22. Use of College facilities by external groups and individuals
 - 23. Elevation of pupils into unique positions of responsibility

Appendices

- Appendix A Addendum
- Appendix B Roles and Responsibilities of DSL and DDSLs
- Appendix C Pastoral Care Plan
- Appendix D Non-Accidental Injury: Signs of Possible Abuse
- Appendix E Safeguarding and Child Protection briefing - all Staff
- Appendix F Safeguarding and Child Protection checklist – all Staff
- Appendix G Allegations against adults who work with children and Allegation/concerns that do not meet the harms threshold – ‘low level’ concerns - Guidance Flowcharts
- Appendix H Wiltshire Safeguarding Vulnerable People Partnership (SVPP): What to do if you are worried that a child is being abused or neglected
- Appendix I What is Child Protection? Poster for Staff Notice Boards
- Appendix J The Children Act (1989) Notes for Members of Common Room
- Appendix K College Confidentiality Statement
- Appendix L Occupancy Terms for Spouse/Partner and Dependents of Employees
- Appendix M Further information relating to specific safeguarding issues, as per KCSIE Annex B.

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Amended by:	Christine Kane, Director of Safeguarding and Designated Safeguarding Lead November 2021
Approved by:	The Master
Date:	September 2021 (updated 8 November 2021)
Review:	August 2022 (statutory annual review)

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2. Key External Contact Details

Wiltshire Council Designated Officer For Allegations (DOFA)	<p>Mr Anton Hammond TEL: 0300 4560108 Option 3 then Option 4 EMAIL: dofaservice@wiltshire.gov.uk</p>
Wiltshire Multi-Agency Safeguarding Hub (MASH)	<p>TEL: 0300 4560108 Mon-Thur 8.45-5pm Fri 8.45-4pm Out of Hours Emergency Duty Service 0300 4560100 EMAIL: mash@wiltshire.gov.uk</p>
Support and Advice about Extremism	<p>Wiltshire Police TEL: Anti-Terrorist Hotline 0800 789 321 EMERGENCY: 999 NON-EMERGENCY NUMBER: 101 EMAIL: PreventReferrals@wiltshire.pnn.police.uk WEBSITE: www.gov.uk/ACT</p> <p>Wiltshire Council Prevent Team TEL: 01380 826454 or 101 WEBSITE: www.wiltshire.gov.uk/community-safety-prevent</p> <p>NON-EMERGENCY NUMBER: 020 7340 7264 EMAIL: counter.extremism@education.gsi.gov.uk</p>
NSPCC Whistleblowing Advice Line	<p>ADDRESS: Weston House 42 Curtain Road London EC2A 3NH TEL: 0800 028 0285 EMAIL: help@nspcc.org.uk</p>
Disclosure and Barring Service	<p>ADDRESS: DBS customer services PO Box 3961 Royal Wootton Bassett SN4 4HF TEL: 03000 200 190 EMAIL: customerservices@db.gov.uk</p>

3. NMS Standard 11 - Child Protection

The school ensures that:

- Arrangements are made to safeguard and promote the welfare of pupils at the school; and
- such arrangements have regard to any guidance issued by the Secretary of State.

4. NMS Standard 14 – Staff Recruitment and Checks on Other Adults

- 14.1 Schools operate safer recruitment procedures and vet staff in line with the regulatory requirements and having regard to relevant guidance issued by the Secretary of State.
- 14.2 For all persons over 16 (not on the roll of the school) who after April 2002 began to live on the same premises as boarders but are not employed by the school, there is a Disclosure and Barring Service check completed at the standard level.
- 14.3 There is a written agreement between the school and any person over 16 not employed by the school but living in the same premises as boarders (for example, members of staff households). This specifies the terms of their accommodation, guidance on contact with boarders, their responsibilities to supervise their visitors, and notice that accommodation may cease to be provided if there is evidence that they are unsuitable to have regular contact with children. They must be required to notify an unrelated designated senior member of staff if they are charged with, or convicted of, any offence.
- 14.4 All persons visiting boarding accommodation (e.g., visitors, outside delivery and maintenance personnel) are kept under sufficient staff supervision to prevent them gaining substantial unsupervised access to boarders or their accommodation.

This Policy addresses Independent School Standards Regulations (ISSRs) and the consequent ISI Regulatory Requirements (effective from Feb 2016) Part 3 – Welfare, health and safety of pupils, Paras 7 (a) and (b), 8 (a) and (b).

This Policy will have regard to the Government (DFE) guidance in the following documents:

5. Keeping Children Safe in Education 2021, September 2021 (KCSIE 2021, (September 2021)). The full guidance can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014057/KCSIE_2021_September.pdf

A summary for all staff (Part One) can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014058/KCSIE_2021_Part_One_September.pdf

6. Working Together to Safeguard Children July 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf

7. The procedures of the Wiltshire Safeguarding Vulnerable People Partnership (SVPP – formerly known as Wiltshire Safeguarding Children’s Board)

Wiltshire Safeguarding Thresholds Guidance, December 2018

https://www.wiltshirescb.org.uk/wp-content/uploads/2021/06/Threshold-Guidance_FINAL_Nov18_v1.2-2-1.pdf

Allegations Against Adults who work with children – Wiltshire SVPP flowchart, September 2020

<https://www.wiltshirescb.org.uk/wp-content/uploads/2021/04/ALLEGATIONS-AGAINST-ADULTS-WHO-WORK-WITH-CHILDREN.pdf>

What to do if you're worried a child is being abused or neglected – Wiltshire SVPP flowchart, September 2020

<https://www.wiltshirescb.org.uk/wp-content/uploads/2021/04/What-to-do-if-you-are-worried-a-child-is-being-abused-or-neglected-FINAL.pdf>

8. The Prevent Duty: Departmental advice for schools and childcare providers, August 2015
<https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>
9. Mental Health and behaviour in schools, November 2018
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools.pdf
10. This policy should be read in conjunction with the following College Policies and Guidance and discussed/ provided at induction:

College Policy and Procedures on sharing nudes and semi nudes (also known as Youth-produced Sexual Imagery or Sexting)

College Policy and Procedures on Peer-on-Peer Abuse

Countering Bullying Policy

Behaviour Management Policy

Code of Conduct (Staff Behaviour Policy)

ICT, Social Media and Online Safety Policies

Children Missing Education Policy

Supervision Policy

PSHEE Policy

This policy applies to all staff employed by Marlborough College, including temporary and part-time staff and volunteers.

11. Policy Aims

The central aim of the following procedures is to ensure that the protection and general welfare of all College pupils is of paramount importance.

The College aims to safeguard and promote the welfare of all its pupils. In addition, some pupils will require specific child protection support to enable them to thrive.

The College seeks to provide a child-centric approach to safeguarding, which listens to children's concerns, allows children to be confident in their reporting of abuse and know that they will be treated seriously and safely.

11.1 Education, Training and Prevention of harm

Marlborough College believes that safeguarding and promoting the welfare of children is the responsibility of **all** members of the community. Everyone who comes into contact with children and their families has a role to play in identifying concerns, sharing information and taking prompt action. The College promotes an open culture in which concerns or questions about safeguarding can be discussed or raised at any time, and in any context.

Training and induction in Child Protection issues is provided for all staff, whether they hold an academic, pastoral or other role, including temporary staff and volunteers. All employees of the College are issued with Child Protection guidelines and all staff have access to the protocol to be followed in the event of Child Protection concerns. All members of staff, including temporary staff and volunteers, receive a Child Protection induction on the commencement of their employment at the College; this includes a copy of the Safeguarding and Child Protection Policy (this document), the Staff Code of Conduct and a copy of Part I of Keeping Children Safe in Education 2021, September 2021, plus a copy of Annex B (previously known as Annex A) of KCSIE 2021 (September 2021).

This induction includes the identity of the Designated Safeguarding Lead (Mrs Christine Kane) and makes clear that **anyone** can make a referral to children's social care if a child is in immediate danger or is at risk of harm. All staff are required to read at least Part 1 and Annex B (Previously known as Annex A) of KCSIE 2021 (September 2021) and receive regular training, in line with advice from the Wiltshire SVPP.

Mechanisms are in place to enable staff to understand and carry out their role and responsibilities as set out in Part 1 of KCSIE 2021 (September 2021). These include online training, developed for Marlborough College in conjunction with Cylix (an online training provider), and an online questionnaire. All staff also receive training on peer-on-peer abuse.

Procedures are in place for staff appraisal and monitoring. In addition, staff receive regular annual updates on safeguarding and child protection issues, via the DSL and HR Departments, either in written form, or in-person via staff meetings.

Safeguarding and e-safety issues at Marlborough College are addressed through the curriculum and co-curriculum as appropriate; details can be found in the College's Countering Bullying Policy. We also ensure that bullying is identified and dealt with (also see the Countering Bullying Policy). The College's Bullying Statement is included in the Almanac issued to all pupils, parents and staff, is written into the Common Room Handbook and Parents' Handbook and is published on House Notice Boards. In the Bullying Statement, the right of all members of the College to enjoy their lives free of bullying and harassment is asserted, as is the expectation that all members of the College are expected to treat each other as they hope to be treated themselves in an atmosphere of mutual respect.

11.2 Early Help

The College recognises that early help can provide support for children experiencing problems, such that risks are minimised, harm is avoided and the need for intervention from statutory and specialist agencies is reduced.

It recognises, further, that providing early help can be more effective in safeguarding and promoting the welfare of children than reacting later, once a crisis point has been reached.

“Preventative services can do more to reduce abuse and neglect than reactive services. Many services and professions help children and families so coordinating their work is important to reduce inefficiencies and omissions.”

The Munro Review of Child Protection: Final Report, *A child-centred system*, Professor Eileen Munro, May 2011

Early help means providing support as soon as a problem emerges, at any point in a child’s life, from the foundation years through to the teenage years.

The College will follow the guidance provided by the Wiltshire SVPP in identifying, assessing and acting to support children who may benefit from early help.

Effective early help relies upon local agencies working together to:

- identify children and families who would benefit from early help;
- undertake an assessment of the need for early help; and
- provide targeted early help services to address the assessed needs of a child and their family which focuses on activity to significantly improve the outcomes for the child.

All staff at the College who work with children and their families have a role to play in identifying those pupils who may benefit from additional support. The tutorial structure enables staff to quickly refer concerns through HMs and, through them, to the DSL, as appropriate.

The full boarding nature of the College means that many additional sources of support, such as educational psychologists, Learning Support, counselling, access to psychologist and psychiatrist services, etc. can be provided within the term-time structure.

Medical services, access to a GP and onwards referral to e.g. Children and Adolescent - Mental Health Services (CAMHS) are also provided within the College structure. Coordination and liaison between services is facilitated by weekly Pastoral Meetings, which the DSL attends.

When early or additional help is needed it would be usual to involve parents from the outset. Concerns can be raised with parents by HMs, or directly by the Medical Centre, or by the DSL.

12. Mental Health and Safeguarding

KCSIE 2021 (September 2021) makes clear the link between mental health and safeguarding, and stresses the role that schools play in detecting possible problems and supporting good mental wellbeing.

Marlborough College recognises that safeguarding and promoting the welfare of children includes preventing the impairment of children’s mental (as well as physical) health and development. All staff should be aware that mental and emotional health problems can be an indication of abuse, neglect or exploitation, or of other safeguarding concerns. In addition, staff should also be aware that adverse childhood experiences can have a lasting impact on the mental health, behaviour, education and wellbeing of young people.

Boarding and other pastoral staff at Marlborough College are well placed to identify behaviour which may indicate that a child is experiencing mental health problems or is at risk of developing problems. The pastoral structure promotes the rapid (two-way) communication of concerns between a child's HM and the DSL (where there may be additional safeguarding concerns), and also to and from the wider pastoral team. All staff, in whatever role, should raise any concern about a pupil's mental health without delay, and should follow up the concern as appropriate. Concerns about pupils should be raised with the HM in the first instance. If a member of staff is concerned that a pupil is in immediate danger (e.g. because of behaviours indicating self-harm or suicidal ideation) then they should remain with the pupil, while seeking urgent help from other staff. This may include calling 999.

The school recognises its role in supporting pupils' mental health and seeks to work closely with parents and others, as appropriate, to share resources and training, to promote mental and emotional wellbeing and to obtain access to appropriate and timely support and intervention. There are clear systems in place for identifying possible problems, and for escalating concerns. Written protocols are in place for managing pupils with mental health issues such as disordered eating, self-harming behaviours and suicidal ideation.

All new pastoral staff receive training in recognising mental health concerns, primarily through the Youth Mental Health First Aid (YHMFA) organisation. Mental wellbeing forms a key part of the Personal, Social, Health and Economic Education programme (PSHEE) for pupils, as well as being central to ongoing tutorial conversations. Pastoral staff have access to opportunities for continuing professional development in respect of recognising and responding to the signs of mental ill health. Understanding the link between feeling emotionally safe, resilient and supported by trusted adults, and effective learning, is central to the College's educational ethos.

Government guidance on mental health and behaviour in schools and teaching about relationships, sex and health can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools.pdf

<https://www.gov.uk/guidance/teaching-about-relationships-sex-and-health>

13. Online Safeguarding

The College has in place a number of structures, filters and monitors to support its commitment to keeping pupils safe online. These include monitoring and controls within the College's internet provision, restrictions on the use of Virtual Personal Networks (VPNs) and robust 'firewalls'. Routine weekly reports on internet activity, against the firewall, under a number of safeguarding headings are scrutinised for patterns and concerns by the DSL. Pupil access to mobile devices is restricted and the issue remains under constant review as the nature of modern society alters over time.

The College identifies the potential threats of the four Cs of online safeguarding: content, contact, conduct and commerce and acts to limit the negative impacts that these threats can have. Online safety is an essential part of curriculum planning and online teaching, whenever that is offered. The College takes due note of the differing ages of children within the College when devising suitable rules for ensuring online safeguarding.

Education about online safety, including risks associated with sexual images and Youth Produced Sexual Imagery (also known as "sexting"), grooming, identity theft, reputational damage, technology-assisted harmful sexual behaviours (TA-HSBs) and other threats forms an integral part of the PSHEE and RSE programme for pupils.

College staff, from initial induction onwards, are trained on the importance of the issue of online safety in line with statutory requirements in KCSIE 2021 (September 2021).

The College promotes a strongly collaborative approach to online safeguarding and provides extensive access to resources, training and information to parents about how to keep their children safe online.

The College ICT Policy and Social Media Policy have regard to the need to safeguard pupils online.

E-security is an issue taken seriously by the College, with regular assessment given as to the operation capability of internal ICT systems, to ensure that maximum protection to pupils and staff from online threats is provided.

The member of staff responsible for online safeguarding is **Mrs Christine Kane, Director of Safeguarding and Designated Safeguarding Lead.**

14. Children with special educational needs and disabilities or physical health issues

Children with special educational needs or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration;
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in managing or reporting these challenges.

15. Information sharing

It is important that information relating to the safeguarding of children's welfare is shared.

The DfE emphasises that "The Data Protection Act 2018 and GDPR do not prevent, or limit, the sharing of information for the purpose of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children."

In other words, data protection law is not a barrier, but it is a system of checks and balances to be borne in mind when recording, sharing and retaining vital but sensitive data.

The College recognises the importance of information sharing as a vital tool in tackling abuse and neglect and in promoting the welfare of children.

The following guidance is available:

Information Sharing: Advice for Practitioners Providing Safeguarding Service to Children, Young People, Parents and Carers 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747620/Data_Protection_Toolkit_for_Schools_OpenBeta.pdf

16. Recruitment

The College makes stringent background checks regarding all Child Protection matters on any person appointed to the staff and is committed to Safer Recruiting procedures. These include the provision for Enhanced Disclosure and Barring Service (DBS) and barred list checks for all persons employed by the College in regulated activities, and for the regular updating of such checks, as well as the maintenance of a Central Register of Employment for all College staff.

Pre-employment checks at the College are carried out – appropriate to the role offered and duties involved – to verify identity and ensure that anyone employed is not subject to a prohibition order, direction, sanction or restriction issued by the Secretary of State. Such checks relate to staff joining from overseas as well as from within the United Kingdom. For those appointed to teach, checks are carried out to ensure they are not prohibited from teaching. For those engaged in management roles, an additional check is carried out to ensure they are not prohibited under Section 128 of the Education and Skills Act 2008. At least one member of any interview process for employment to the College will have received training in Safer Recruitment procedures.

The College also has arrangements in place for the welfare of pupils, in respect of any person living in College boarding accommodation who is not employed by the College, such as the spouses or children over the age of 16 (who are not themselves members of the College) of those with residential responsibilities.

Further details of the College’s process for recruitment can be found in the Recruitment Policy, available on Firefly (the College’s virtual learning environment) and on request from the HR Department.

In the case of Marlborough pupils working with adults who are not employed by the College, e.g., through the College’s Outdoor Activity and Outreach programmes, measures are in place to ensure that appropriate child protection checks and procedures are in place, including where pupils are on a site other than the College.

Visitors to the College whose business is pupil-centred are issued with a Statement of Community Norms and Values, which makes reference to the ‘duty of care’ to safeguard and promote the welfare of pupils.

All visitors, in any capacity, are subject to the College’s security procedures, which includes identifying them as visitors whilst on College premises.

17. Reporting to the Police

The College will follow the guidance document published by the National Police Chief’s Council (NPCC) to help clarify when to consider calling the police and what to expect when a report is made.

The DSLs and Management Team will use the guidance when liaising with police and safeguarding advisors on safeguarding issues, as well as in considering pupil behaviour in respect of, for example, peer-on-peer abuse, physical assault, harassment, online behaviour, theft and any other relevant behaviours.

<https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20the%20police%20guidance%20for%20schools%20and%20colleges.pdf>

18. Child Protection Statement

In order for each adult member of the College community to respond appropriately to matters relating to suspected, alleged or actual child abuse, there exist Standing Guidelines on Child Abuse matters. These recognise that child abuse can encompass neglect, physical injury, sexual abuse and emotional abuse, (including Child Sexual Exploitation – CSE and Child Criminal Exploitation –

CCE) of anyone under the age of 18 by someone who is either an adult or an adolescent, and also acknowledge that peer-on-peer abuse can occur. The Standing Guidelines give advice as to the appropriate response to a child who discloses abuse, and on the action to be followed by adults in the event of suspicion or knowledge of abuse.

All members of staff should be aware that if, at any point, there is immediate danger or risk of serious harm to a child a referral should be made to children’s social care and/or the police directly and without delay, and that **anyone** can make a referral. Staff should note that parental consent is not required in the case of referrals to statutory agencies.

A member of staff with any suspicion, knowledge or disclosure that a child might be being or have been abused **MUST** make a formal written record of the cause for concern as soon as possible and must inform the DSL immediately and directly (or the Deputy DSL or Master). This includes instances where a complaint involves a member of staff.

Any member of staff who has a concern or allegation about school practices or the behaviour of colleagues which is likely to put pupils at risk of abuse or other serious harm, **MUST** report this to the DSL (or the Deputy DSL and the Master) immediately.

Behaviour that indicates an adult ‘may not be suitable to work with children’: transferrable risk

The so-called ‘harm test’ refers to behaviours that may indicate that a person poses or might pose a risk of harm if they continue to work in regular or close contact with children. Such behaviours may occur outside of school and may not involve children, but may have, nonetheless, an impact on a person’s suitability to work with children. Domestic violence is an example of such behaviour; where violent behaviour is triggered there is the risk to children at school.

The College recognises that there may be ‘transferrable risk’ associated with such behaviours. Staff should report any allegation of such behaviours to the DSL, as a safeguarding issue.

In all cases, allegations involving staff or volunteers will be referred to the Designated Officer for Allegations (DOFA) for advice before any investigation takes place, within one working day. Other external agencies, including the police, may be involved from the outset.

In the case of concern or allegations in respect of Child Protection, involving the Master or the DSL, a member of staff must report this to the Chairman of Council immediately, who can be contacted via 01672 892390.

Immunity from retribution or disciplinary action against members of staff for “whistle-blowing” in good faith is assured.

It is the duty of **all members of staff** to be informed and vigilant in these matters, and to be familiar with the contents of the College’s Safeguarding and Child Protection Policy, for the protection and general welfare of all College pupils is of paramount importance.

All members of staff who come into contact with pupils and their families must meet the College’s policy on Confidentiality (Appendix K).

All members of staff who come into contact with pupils and their families must be aware of the College’s procedures in respect of boarding pupils who are absent without leave (i.e., missing pupil procedure) – see the College Supervision Policy on the College website.

All members of staff must follow the Code of Conduct, issued to all staff as part of their induction procedures.

Any deficiencies or weaknesses in the College’s Child Protection arrangements, which the College become aware of via any means, will be remedied without delay.

18.1 College Policy on Low-level Concerns about an adult:

It is essential for all adults who work with children to behave appropriately. Early indication of instances where that may not be the case, along with the prompt and effective management of concerns about the behaviour of adults, is critical to effective safeguarding. To achieve this, it is important for the College to maintain a culture of openness, trust and transparency in which staff are confident and clear about the expected values and behaviours of themselves and their colleagues.

Staff should therefore feel able to raise low-level concerns, whether about their own behaviour, or that of a colleague, where that behaviour might be construed as falling short of the standards set out in the College's Code of Conduct. This is consistent with Working Together to Safeguard Children, July 2018 which states "Children are best protected when professionals are clear about what is required of them individually and how they need to work together".

What exactly is a low-level concern?

A low-level concern does not refer to activity that is insignificant. Rather, the phrase relates to any behaviour towards a child by an adult which, while not meeting the threshold for referral to external agencies (e.g. DOFA Service, Police), is inconsistent with the Code of Conduct. It is not important for all staff members to be able to determine whether a concern is low-level or if it represents referable activity – that determination will be made by the Designated Safeguarding Lead and/or The Master.

What is the purpose of the low-level concerns policy?

There are multiple purposes to the policy:

- Ensuring that all staff have clarity about what appropriate behaviour involves and to further ensure that they can differentiate between expected/normal conduct and that which may be concerning, problematic or inappropriate.
- Further empowering staff to act in the interests of all children in the care of the College.
- To allow the College to support staff to correct behaviour which falls short of that which is required.
- To allow for the identification of patterns of behaviour that may be inappropriate and potentially harmful to children.
- To provide for the responsive, sensitive and proportionate handling of concerns about staff when they are raised.
- To help identify weaknesses in the College's safeguarding system, to allow them to be strengthened.

Who should receive the low-level concerns?

It is essential for any and all low-level concerns to be received by the Designated Safeguarding Lead, who will in turn pass the information on for review to The Master on a regular basis. Staff may approach The Master directly if they prefer. The single-point of contact is intended to allow for the easy identification of any patterns of behaviour that need to be addressed. Staff are expected to pass such concerns on to the DSL within twenty-four hours of becoming aware of the problem. If the DSL is not available for any reason, staff are asked to speak to the Deputy DSL or The Master directly.

If any low-level concern is related to the behaviour of the DSL, staff are expected to raise the matter with The Master directly. If The Master is the subject of the concern, KCSIE 2021 (September 2021) requires staff members to raise the issue with the Wiltshire DOFA Service.

All low-level concerns, regardless of who their subject might be, will be handled with discretion, with only those needing to know about the process being informed of occurrence, process and outcomes.

Self-reporting concerns

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or where they believe their own behaviour may have fallen below the standard outlined in the Code of Conduct. When such situations arise, it is best practice for members of staff to self-report the incident or behaviour to the DSL. Such an action can be self-protective as it allows problems to be tackled at an early stage. It also demonstrates that the staff member is aware of expected standards of behaviour and how they and their actions may be perceived within a residential community. Self-referral is an essential mechanism for the College to embrace in its desire for a transparent, caring and effective safeguarding culture. Self-referrals can be made verbally or in writing. Where a self-referral has been made verbally the DSL (or other senior staff member receiving the information) will make an appropriate record of the conversation, which the member of staff can be shown for approval.

Sharing concerns about other members of staff

Again, where a concern refers to a member of staff other than the DSL or The Master, staff can make a verbal or written referral – and in cases of a verbal referral, the DSL (or other senior staff member receiving the information) will make an appropriate record of the conversation, which can be shown to the referrer for approval. Records are required of the name of the referrer; the name of the staff member being referred and the behaviour about which there is concern.

The Master, or the DSL as appropriate, will then decide whether:

- the behaviour constitutes no concern
- a low-level concern – and will therefore be dealt with under this policy
- or whether the behaviour requires referral to external agencies.

If The Master, or DSL as appropriate, is in any doubt whatsoever about the classification of a reported concern, the DSL or The Master will seek advice from the DOFA on a no-names basis.

Assuming the concern is seen as low-level, conversations will then be held with referrer and referred, as well as with any witnesses of the behaviour highlighted – provided that such discussions have not been advised against by the DOFA Service (if they have been consulted). All conversations will again be recorded and decisions, actions and rationale will be noted in such a record.

Any concerns relating to contractors or outside agencies will be recorded and reported to the relevant employer.

Outcomes

If there is a decision taken that the behaviour of the staff member is consistent with the Code of Conduct and constitutes no concern then no further action will be taken. In addition, the staff member will be informed, as will the referrer. A review and amendment of the Code of Conduct may be undertaken following a decision to take no further action, but such an action will not take place in advance of a decision being reached on the behaviour in question.

If there is a decision taken that the behaviour of the staff member is not consistent with the Code of Conduct then the College undertakes to act in a sensitive and proportionate manner, while also seeking to act promptly and effectively. Strong consideration will be given to the question of whether any allegation is genuine or vexatious, and whether or not it may have resulted from a misunderstanding.

Most low-level concerns will, by their nature, be minor enough to require no further action. Likely action in almost all instances other than this will be based on a supportive conversation between the member of staff and the DSL and the offer of guidance on future approaches.

If behaviour identified as inconsistent with the Code of Conduct is identified it will be explained to the member of staff in question in terms that relate to the specifics of that document. An action plan or risk assessment, in the case of more egregious breaches of the Code, may be used to provide positive support.

Behaviour that raises issues of misconduct or poor performance may result in the enactment of the College's disciplinary or capability procedures, via HR – on referral from The Master or DSL, as appropriate. In such circumstances the College will ensure that the member of staff has the full opportunity to respond to any factual allegations made against them and they will receive all rights and support as they would in cases where low-level concerns have not been a factor. However, HR will not be involved in low-level concerns that do not reveal misconduct or poor performance issues.

Where necessary, once any investigations and disciplinary process has been completed, the College will adhere to the KCSIE 2021 (September 2021) stipulations regarding referrals to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA).

Recording low-level concerns

The College retains all records relating to low-level concerns in a central low-level concerns file. They are held confidentially and securely, with access only permissible from The Master, the DSL and any senior member of College staff nominated by The Master.

Any low-level concern which triggers the College's disciplinary or capability procedures will be copied and added to the member of staff's personnel file, held by HR. The original low-level concern will remain in the centrally-held low-level concerns file. The same procedure will apply in cases where cumulative low-level concerns trigger a referral by the College to external agencies.

All such low-level concerns records will be kept for the duration of an individual's employment by the College until further guidance on the duration of required retention is published by statutory authorities.

Low-level concerns which do not meet (individually or cumulatively) the threshold for DOFA Service referral will not be used in an employment reference unless the concerns relate to issues which would normally be included in a reference – such as misconduct or poor performance.

Records of low-level concerns should will be reviewed by the DSL regularly so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and responded to.

Where a pattern of behaviour is identified, the DSL will discuss with the Master and decide on a course of action. This might be internal disciplinary procedures with the involvement of HR, or referral to the LADO if the harms threshold is met.

Council responsibilities in relation to low-level concerns

The Master will be responsible for keeping members of College Council informed about the implementation of the policy and with evidence of its effectiveness. This is likely to be via the safeguarding report to council, with which the DSL assists.

Council members should also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that the concerns are being responded to in line with this policy.

Staff training and input

The College includes suitable training on this low-level concerns policy as part of its statutory safeguarding training for all members of staff at the required intervals. It will also seek to feature the issue in other training opportunities to staff that occur in the course of the academic year.

Staff are entitled to provide feedback on the policy and can do so via the DSL.

Review of the low-level concerns policy

The policy, along with the Safeguarding & Child Protection Policy within which it sits, will be annually reviewed.

18.2 Young Carers

The term “young carer” refers to anyone under the age of 18 who helps to look after a relative or close friend, where that relative or close friend possesses a disability, illness, mental health condition, drug or alcohol problem.

The day-to-day responsibilities of young carers will often include cooking; cleaning; shopping; providing nursing and intimate personal care; giving emotional support; financial management; and caring for siblings.

The Care Act (2014) identifies the key point relating to young carers and safeguarding:

“Children should not undertake inappropriate or excessive caring roles that may have an impact on their development. A young carer becomes vulnerable when their caring role risks impacting upon their emotional or physical well-being and their prospects in education and life.”

The College will be “particularly alert” to the needs of young carers and recognises the fact that young carers may be pupils who require early help. Should concerns arise about the developmental needs of a pupil who is a young carer, the appropriate referral for further assessment will be made to Wiltshire SVPP to access further support as required.

The nominated Designated Safeguarding Lead with responsibility for Young Carers is **Mrs Christine Kane Director of Safeguarding and Designated Safeguarding Lead**

Staff are made aware of the needs of young carers through Common Room briefings and updates and Housemasters and Housemistresses should make members of their House teams aware of pupils who are young carers. Staff will have training on ‘spotting the signs’ of young carers and should raise any concerns immediately.

The Admissions Department application form allows parents to inform the College that their child/children is/are also a young carer/s.

18.3 Looked After Children (LAC)

Looked After Children are those children under the age of 18 living in the care of their Local Authority or living with adopted parents.

The College will endeavour to identify and support current and previously Looked After Children, working closely with the “Virtual School Head” (VSH), as appointed by the Wiltshire SVPP, to promote their educational achievement and best possible outcomes.

The Designated Teacher with responsibility for Looked After Children at the College is **Mr Richard Willmetts, Acting Assistant Head (Safeguarding) & Designated Safeguarding Lead**. The Designated Teacher and other DSLs will offer assistance to any staff who are supporting such pupils in the College.

Staff are made aware of the potential vulnerabilities and needs of Looked After Children through Common Room briefings. Housemasters and Housemistresses should make members of their

House teams aware of any pupils with LAC status. Any concerns regarding such pupils should be raised immediately via the normal channels, outlined above.

19. The Role of the Designated Safeguarding Lead For the Academic Year 2021/2022:

Mrs Christine Kane Director of Safeguarding and Designated Safeguarding Lead

The Acting Deputy DSL is Mrs Julia Hodgson, T: 01672 892301; M: 07833 747803 E:

jah@marlboroughcollege.org

The role of DSLs is to help promote educational outcomes by sharing information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing or have experienced. The DSLs ensure that staff, as appropriate, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort. They support teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children. All DSLs are trained to the same level and able to manage any safeguarding incident. Further to this, DSLs have particular roles in order to ensure that all aspects of safeguarding are managed effectively.

Briefly, the Designated Safeguarding Leads are responsible for:

- Ensuring that staff are aware of and alert to the signs of abuse and the steps which staff must take when abuse is suspected.
- Organising for the regular safeguarding and child protection training of all members of staff and others with responsibility for the care of pupils, including in respect of online safety. In accordance with legislative requirements training for the DSLs is updated at least every **two years to Level 3 standard**, and training for the Master and members of staff is updated on a regular basis.
- Residential pastoral staff receive safeguarding training to Level 3 standard.
- Senior Pupils who hold positions of responsibility (Prefects and Heads of Houses) with regard to other pupils are also given training on safeguarding issues, at the commencement of their duties, and on an annual basis. Prefects and Heads of Houses are briefed by the Designated Safeguarding Lead.
- The dissemination to staff of information about local SVPP-approved procedures in responding to suspected abuse or to the disclosure of abuse.
- Ensuring the College's consultation and cooperation with inter-agency referral, as appropriate. This will involve prompt communication with the Wiltshire SVPP in the event of an allegation or disclosure of abuse, and the following up of this communication in writing within 24 hours. This may include participation in Wiltshire SVPP DOFA-led case conferences with the Wiltshire SVPP and/or Wiltshire Police.
- This will also include prompt communication with MASH teams in respect of broader concerns about child welfare and safeguarding, and working with other services (including social care, police, health services) to promote the welfare of children and protect them from harm.
- Maintaining a confidential written record of all concerns, discussions and decisions and the reasons for those decisions, in relation to safeguarding. In addition, to maintain a central written record of all contact with the Wiltshire SVPP and MASH, including both formal allegations against adults and informal concerns raised. Records will be kept confidentially and reviewed termly with the Member of Council with responsibility for safeguarding so that concerning patterns of behaviour can be spotted.

- Providing support (once the paramount interests of the child have been ensured) to the child's HM and to any member of staff who has been concerned with a Child Protection investigation in any way.
- Organisation of an annual review of the College's Safeguarding and Child Protection Policy and procedures and of the efficiency with which the related duties have been discharged. This involves the submission of all relevant documentation, including a written record of all Child Protection issues for the preceding year, to the Member of Council with specific safeguarding responsibilities. There then follows a meeting between the Member of Council and the DSL, in advance of the Lent Term Council Meeting in any given year.
- For the academic year 2021-22, the Member of Council with specific safeguarding responsibilities is **Mrs Penny Cameron Watt**.
Email: pcameronwatt@marlboroughcollege.org
- Completion of an annual audit of safeguarding provision, in compliance with Wilts SVPP structures.
- Annual review of the College's Safeguarding and Child Protection Policy, in line with the updated KCSIE; dissemination of information relating to key changes.
- Informing the Master immediately in all cases where child abuse is alleged or suspected, involving any member of Marlborough College, staff, volunteers or pupils. Whenever any matter of suspected or actual child abuse is about to be formally investigated by any of the agencies mentioned above (Wiltshire SVPP or Police) the DSL shall inform the Master and the Member of Council with specific responsibility for Child Protection.
- The drawing up of risk assessments and/or pastoral care welfare plans where there is considered to be a significant risk to a child's welfare from whatever cause, including self-harm.
- Implementation of the College's response to the Prevent strategy in respect of safeguarding children from radicalisation and the risk of being drawn into terrorism.
- Ensuring that, where pupils join or leave the College, their child protection file (as appropriate) is transferred between the new school and College as soon as possible, ensuring secure transit, and confirming receipt.
- In addition, the DSL will consider appropriate information sharing in advance of a child leaving, to enable support to be put in place, as appropriate.
- Working with pastoral and other leaders to ensure that children are safeguarded from potentially harmful and inappropriate online material. This includes monitoring the College's firewall and the efficiency of College filtering systems, including VPNs.
- Finally, if any member of staff at any time wishes to have access to any or all of the Department of Education's documentation on the responsibilities of Schools with regard to Child Protection it is the duty of the DSL to make them available.

20. Standing Guidelines to Staff on Child Abuse Matters

20.1 What is Child Abuse?

Child Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults, or another child or children (peer-on-peer abuse). Abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

Children may be abused in a family or in an institutional or community setting by those known to them, or more rarely, by others (e.g., via the internet). Abuse can take place wholly online, or technology may be used to facilitate offline abuse.

Child abuse can encompass:

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

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

Sexual Abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Emotional Abuse: the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Thus bullying (which usually involves systematic unpleasantness within year groups or across Lower School year groups) does not usually come under the heading of Child Abuse. The College's Countering Bullying Policy exists as a separate document.

However, in cases where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm as a result of the action of another child or children, then the College will have a duty to refer the situation to the local safeguarding agencies.

Peer-on-peer abuse

Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control exercised between children, and within children's relationships (both intimate and non-intimate), friendships, and wider peer associations.

Peer on peer abuse is most likely to include, but may not be limited to:

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

Issues surrounding Honour Based Violence (HBV), Forced Marriage and Radicalisation may also be relevant where coercion or power imbalances are involved between peers.

Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk.

See Peer on Peer abuse Policy and Procedure on Firefly.

Child Sexual Exploitation and Child Criminal Exploitation

In addition, staff should be aware that child abuse can occur through CSE and CCE. In CSE and CCE an individual or group takes advantage of a power imbalance to coerce, deceive or manipulate a child into taking part in sexual or criminal activity in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. Boys and girls who are criminally exploited may be at a higher risk of sexual exploitation too and it should also be noted that the way in which girls and boys are exploited may be different and may display different warning signs.

Further information on this is given in Appendix D.

All staff must be aware:

- That safeguarding issues are complex and sensitive;
- That pupils may suffer physical, sexual or emotional abuse or suffer as a result of neglect, either at home or at school, and that abuse, neglect and other specific safeguarding issues (such as CSE, CCE, Female Genital Mutilation (FGM), honour-based violence etc.) are rarely stand-alone events that can be covered by one definition or label;
- Of the behavioural and physical indications that may reveal the possibility of abuse.
- That additional barriers can exist when recognising abuse and neglect in children with special educational needs. These barriers can include (a) assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration; (b) children with SEN and disabilities can be disproportionately impacted by things like bullying – without outwardly showing any signs; and (c) communication challenges and difficulties in overcoming these challenges.

- That safeguarding incidents and/or behaviours can be associated with factors outside the College and/or can occur between children outside the College. This is the concept of “**contextual safeguarding**”.
- Contextual safeguarding means considering the context in which such incidents and/or behaviours occur, and considering wider environmental factors which may be present in a child’s life which threaten their welfare and/or safety. These factors can be used to inform both the referral process and a full assessment of the child’s needs.
- That children are capable of abusing their peers, and that such abuse should never be tolerated or passed off as ‘banter’, ‘just having a laugh’ or ‘part of growing up’. The College has a policy and a clearly defined procedures for dealing with peer-on-peer abuse.

Reassurance of the victims of abuse

In line with guidance in KCSIE 2021 (September 2021), the College fully endorses the importance of reassuring victims of any and all types of abuse. Victims will always be taken seriously; be supported by pastoral and (where necessary) medical staff and they will be kept safe. It is never right for a victim to believe that they are creating a problem by reporting abuse of any kind, or that they should feel ashamed for doing so.

20.2 Safeguarding and the Prevent Duty

As part of the College’s commitment to safeguarding pupils, staff will follow Department of Education guidance in respect of the Prevent Duty i.e., the duty under Section 26 of the Counter-Terrorism and Security Act 2015 to have “due regard to the need to prevent people from being drawn into terrorism”.

The College acknowledges that, in certain circumstances, young people can be susceptible to radicalisation – the process by which a person comes to support terrorism and forms of extremism leading to terrorism – and also that appropriate intervention and support can prevent vulnerable people being drawn into terrorist-related activity.

Extremism is defined in the DfE guidance as “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.” The College promotes these values through its overall ethos, and they are reinforced through the academic curriculum, the role of the Chapel, the PSHEE programme, the opportunity for service and achievement offered by the co-curriculum, the College’s global connectivity, among many aspects of boarding life. Not least, the pastoral care offered to pupils, focusing on individual self-worth, participation in and service to the community and positive aspiration, acts to reduce the risk factors which lead to disengagement and vulnerability to extremism, and to build resilience to radicalisation.

The Designated Safeguarding Leads will work with key staff, including Pastoral Teams and Heads of Department to identify vulnerable children, and to ensure that the College ICT systems provide adequate protection from the risks of online radicalisation.

As with any safeguarding issue, any concerns should be raised immediately with the Designated Safeguarding Lead. A risk-assessment may be carried out and, depending on the outcome, a referral may be made to the Wiltshire SVPP via the Channel program or PreventReferrals@wiltshire.pnn.police.uk

A full briefing for staff may be found on Firefly along with other further information and advice. <https://firefly.marlboroughcollege.org/safeguarding--for-all-staff/the-prevent-strategy>

At all stages, the College will work together with existing local partnerships and in accordance with government advice.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf

20.3 How should members of staff respond in order to help a child who discloses abuse?

- i. Listen patiently and comfort.
- ii. Stay calm and controlled: do not show revulsion or distress.
- iii. If a pupil approaches a member of staff and asks to speak in confidence the member of staff must be sympathetic and supportive but should *never* fall into the trap of promising complete confidentiality. ***In cases of the disclosure of abuse it is obligatory for a member of staff to report the offence even if the pupil does not wish to do so.***
- iv. Reassure the child frequently that the abuse is not his/her fault. Make it clear that the disclosures have not made you lose affection or respect for them.
- v. Reassure the child that he/she should not feel guilty for telling.
- vi. Make *a formal written record as soon as possible, as appropriate to the context of the disclosure, noting down: Date / Time / Place / Nature of disclosure / any other relevant details.* Using CPOMS is the most effective way to do this however if this is not available to the member of staff the record can be sent to the DSL.
- vii. vii.

20.4 How should members of staff respond in order to help children where abuse is suspected?

- A member of staff with any suspicion that a child might be being abused, based on what they observe, hear or are told, should make a *formal written record as soon as possible using CPOMS or sending directly to the DSL. You should note down: Date / Time / Place/ Nature of injury or concern / Explanation given / Demeanour.*

(NB – Law prevents parents from demanding to see such written records). Hand written records or notes made at the time are preferable to typed notes after a time interval.

- In any conversation with a child about possible abuse a member of staff must be very careful not to ask leading questions: Do no more than listen sympathetically and report the matter.

A member of staff must pass on immediately all safeguarding concerns/information on to the DSL (or Acting Deputy DSL), unless there is an immediate risk of harm to a child or the child is in immediate danger, in which case, any member of staff can make a referral to children's social care and/or the police directly and without delay. A member of staff who makes a referral directly should inform the DSL as soon as possible thereafter.

NB – In no circumstances should any member of staff, including HMs, conduct an investigation into possible Child Abuse or decide whether a child has been abused (this is the role of specialist agencies) or alert a child's parents to such possibilities unless they have been authorised to do so.

Where child abuse is suspected or disclosed it is the role of the DSL to refer to external agencies using the appropriate route:

Children **in need of support** will be referred to children's social care for inter-agency assessment.

Children **at risk of harm** will be reported immediately to children's social care, who will advise on the course to be followed. Again, the College will provide as much contextual information to children's social care about the child's life as possible, to allow for best protection of the child.

In cases of **allegations that refer to possible abuse by staff members** the DSL will report to the Wiltshire SVPP Designated Officer for Allegations (DOFA) without delay, and within one working day, seeking advice as to how to respond to the allegation. Where criminal behaviour or serious harm may have occurred, other agencies, including the police, will be involved from the outset.

Whenever the matter requires, the College will always adhere to its statutory responsibilities in relation to referrals to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA).

The DOFA for Wiltshire is: **Anton Hammond Tel: 0300 4560108:**
dofaservice@wiltshire.gov.uk

Wiltshire Multi-Agency Safeguarding Hub (MASH) Tel: 0300 4560108

Wiltshire MASH Out of Hours Emergency Duty Service Tel: 0300 4560100

Members of staff should, at all times, avoid putting themselves in situations where they are vulnerable to or capable of being misunderstood.

There are three sensitive areas:

- **The One-to-One Adult Staff / Pupil private interview**

There are several contexts where members of staff with academic, pastoral and other responsibilities may need to meet on a one-to-one basis with individual pupils. Typically, tutorial meetings are held on a one-to-one basis in boarding houses. Careers and university guidance, co-curricular and academic support beyond the teaching timetable may be offered on a one-to-one basis. In such instances, it may be appropriate to maintain privacy but if possible, have a classroom, office or bedsit door ajar or an external sightline, or ensure that the meeting is known to others and the setting rendered contextually “formal” i.e. occurring at an appropriate time and in an appropriate place for the business being conducted.

If the interview is likely to be sensitive members of staff are asked to make sure that someone (e.g., secretary / another member of staff with pastoral responsibility / HM) knows that the interview is taking place.

It is considered best practice for tutorial meetings in boarding accommodation to take place outside pupils’ bedsits if at all possible – use of the HM’s study, common room, dining room or other communal area – is preferable to a private meeting between a member of staff and a pupil in the pupil’s personal space.

- **Physical Contact with Pupils**

Physical contact may be perfectly acceptable in the context of instruction or coaching e.g., Music or PE lessons or where safety demands it (e.g., to assist an injured pupil, or in breaking up a fight). Also, where a member of staff with specific pastoral responsibility instinctively feels that it is right for him/her to touch a pupil’s arm or shoulders in order to give reassurance, it is probably right to do so. However, members of staff should always be very careful in doing the latter and should never do so when alone with the child or when there is no obvious reason for doing so. Any unintended contact of this kind should form part of a self-referral, detailed above in the section on concerns.

- **Digital Media**

Given the widespread use of digital media in schools, members of staff must be scrupulous about their digital communication with pupils. The Code of Conduct for all staff and staff handbooks contain detailed guidance and should be referred to on commencement of employment and as necessary on an ongoing basis.

Members of staff who need to communicate with pupils using digital media should do so only from and to authorised College email addresses, or using the Isams system or Firefly. Members of staff should use only College-issued mobile technology to communicate with pupils. Private web-based email addresses, or personal mobile phones should **NOT** be used, except in emergencies, or when agreed in advance with the Educational Visits Coordinator, e.g., on school trips. Members of staff should avoid communicating with pupils via social networking sites.

20.5 Allegations of abuse against teachers and other staff

1. The College will manage cases of allegations in which it is alleged that a member of staff has:
 - behaved in a way that has harmed a child, or may have harmed a child;
 - possibly committed a criminal offence against or related to a child; or
 - behaved toward a child or children in a way that indicated he or she may pose a risk of harm to children according to the guidance set out in Part Four of KCSIE 2021 (September 2021).

All allegations against staff must be referred in the first instance to the Master.

2. This guidance recognises:
 - The need to act consistently regardless of where or when the alleged abuse took place.
 - The duty of care to employees.
 - The need for common sense and judgement, and the need to act without delay to refer to Children’s Social Care, the SVPP and/or police in the case of serious allegations, which meet the criteria above.
3. In the event of an allegation against a member of staff the Master will discuss the allegation immediately with the DSL. The purpose of the discussion is to consider the nature, content and context of the allegation and agree a course of action. In this situation the concern may be referred to the DOFA.
4. In a case where an allegation is made against the Master or someone with whom the Master has a close or familial relationship, the allegation should be referred by the DSL or member of staff with the allegation, immediately to the DOFA.
5. Where it is deemed that there is an immediate risk to children or there is evidence of a possible criminal offence, it is appropriate to involve the police immediately.

Initial information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern.

Any decision, and the justification for it, will be recorded by both the ‘Case Manager’ and the DSL. Consideration will then be given to the action to be taken in respect of the individual and the initiator(s) of the allegation.

In all cases the process in respect of;

- Supporting those involved
- Confidentiality
- Record Keeping
- Timescales
- Information sharing
- Oversight and monitoring
- Outcomes, actions, learning lessons

will follow the guidance set out in Part Four of KCSIE 2021 (September 2021).

6. In cases of allegations that refer to possible abuse by members of staff or volunteers (e.g. sexual or physical abuse, criminal acts, acts of gross misconduct or any act where children are ‘at risk’), the Wiltshire SVPP will be contacted by the Master or the DSL to refer the situation, within one working day.

He/She will make it clear that the referral is being made under the College’s Child Protection Procedure and the report will be confirmed in writing, within 24 hours.

Following an allegation or suspicion of abuse, it is be appropriate to seek the advice of the Wiltshire SVPP DOFA. This may be done informally and without giving names in the first instance, prior to referral. The school will never investigate an allegation prior to contact with the DOFA, in the first instance.

In either case, the College will endeavour to do nothing which may jeopardise a police investigation, such as asking a child leading questions or attempting to investigate the allegations of abuse.

7. If the complaint is considered sufficiently serious and following discussion with the Wiltshire SVPP DOFA, and involves a member of staff, that member of staff will be told that serious allegations of misconduct have been made. The member of staff will have the opportunity to answer the allegations and his/her contractual rights will remain in force. The member of staff concerned will continue to have access to the Master or Bursar, who will keep the member of staff informed of developments.
8. It may be that suspension from duty immediately pending a full investigation is the appropriate course of action although this is by no means automatic. A decision to suspend must be contextually risk assessed.
9. In a case of suspension from duty pending full investigation, it may be appropriate for the College to provide alternative accommodation for members of staff, outside of the boarding environment.
10. In the event of a criminal act being alleged, the Police will be contacted for their advice.
11. In all cases of complaint, decisions will be taken to ensure that the complaint is fully investigated quickly, and in a fair and consistent way, and resolved in such a way that is in the child’s best interests, whilst at the same time supporting the person who is the subject of the allegation.
12. All serious complaints will be reported to the Chairman of the Council immediately, and subsequently to all the Council Members (The College Council).
13. The College will report to the Disclosure and Barring Service (DBS), within one month of leaving the school any person (whether employed, contracted or a student) whose services are no longer used because he or she is considered unsuitable to work with children. In addition, consideration will be made to reporting to the TRA any teacher who has been dismissed or has left for whom a prohibition order may be appropriate because of unacceptable

professional conduct.

14. The term 'child' shall be taken to indicate all pupils being educated at the College even if they are over 18 years of age.
15. The College does not employ Supply Staff for regulated activities, i.e. with direct contact with children.

20.6 What happens when the child is back in the classroom?

- Help the child to get as much privacy and to be as normal as possible.
- Be as observant as possible to spot the child being harassed by other children who know about the abuse and be prepared to intervene.
- Be prepared for the child's schoolwork and behaviour to be below their best.
- Recognise that a child with a compulsion to tell others what has happened to them needs counselling rather than censure.

20.7 What are the signs of Child Abuse that members of staff should be alert to?

The following should not be regarded as a comprehensive list, nor should any indicator on this list be regarded, when taken alone, as being a definitive sign of abuse. This is why it is crucially important to raise concerns promptly such that advice can be sought from experienced and expert agencies, working together for the best interests of the child.

Physical

- unexplained injuries – perhaps improbable explanations (see Appendix D).
- fear of medical help.
- fear of parents being contacted.
- fear of returning home.
- self-destructive tendencies – i.e., hatred for his/her own body.
- desire to look as unsexual and unattractive as possible.
- aggression towards others.
- dislike of being touched or touching others.
- chronic running away.
- dirty, torn or threadbare clothing; inappropriate clothing for the season or context (sign of neglect).
- unwashed hair, dirty appearance, unclean smell.
- excessive or uncontrollable tearfulness.

Signs of possible emotional abuse (in addition to some of above)

- A feeling of shame or guilt ("It must have been my fault . . .").
- A feeling that he/she is dirty or degraded.
- Embarrassment ("Perhaps there's something wrong with me").
- A desire to talk about a topic frequently (betraying a need for reassurance and a desire to get it out of the system).
- Nightmares or trouble with sleeping.
- Compulsive stealing.
- Neurotic behaviour.
- Inappropriately adult or sexualised behaviour or inappropriately infantile behaviour.

21. Record-keeping

In relation to all safeguarding matters, good record-keeping is vital. All concerns, discussions and decisions made – and the reasons for those decisions – should be recorded in writing by all staff involved. Information should be kept confidential and stored securely. If there is any doubt about recording requirements, staff should seek advice from the Designated Safeguarding Lead.

22. Use of College facilities by external groups and individuals

The College allows the use of some of its facilities by external groups and individuals from time to time, for both commercial and charitable purposes. Where such use takes place, the College has a duty to ensure that appropriate arrangements are in place to protect children.

Where activities are provided by the College itself, the College's own arrangements for child protection (this document) apply. When activities are provided by others – such as a local sports club for the participation of people from outside the College – the College ensures that those providers have appropriate safeguarding and child protection policies and procedures in place – and that the satisfactory provision of such arrangements are a condition of use and occupation of College premises.

23. Elevation of pupils into unique positions of responsibility

In order to ensure that the welfare of all pupils is safeguarded effectively it is the College's policy to require the prior express permission of The Master in any case of elevation of a pupil to a unique position of responsibility.

Summary

- Be **AWARE OF** and **ALERT TO** signs of child abuse.
- **RECORD** and **REPORT** any concerns
- **CONSULT** with HMs or with the Designated Safeguarding Lead if you are worried at any time.
- Above all remember that the **CHILD'S INTERESTS ARE PARAMOUNT**. If you are concerned act quickly but with discretion.

Appendix A

Marlborough College COVID 19 Safeguarding and Child Protection Policy Addendum (retained in September 2021 owing to the unpredictability of developing COVID situation and the possibility of future school closure)

1. Context:

Keeping Children Safe in Education 2021 remains in force throughout the response to coronavirus (COVID-19).

This policy outlines procedures in place when the College is closed, that is, when parents are asked to keep their children at home wherever possible. In these circumstances, the College will follow government guidelines, but may remain open only for those children of workers critical to the COVID-19 response, who absolutely need to attend.

In such circumstances, Colleges and all childcare providers will be asked to provide care for a limited number of children – children who are vulnerable, and children whose parents are critical to the COVID-19 response and cannot be safely cared for at home.

These procedures also apply when the College is open but some pupils have had to remain at home in the Remote Learning Environment due to travel restrictions and quarantine regulations.

2. Key contacts:

During College closure, contact details in response to Safeguarding concerns remain the same as outlined above.

3. Vulnerable Children:

The College will refer to the Government guidance when defining assessing the vulnerability of pupils: <https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-Colleges-colleges-and-local-authorities-on-maintaining-educational-provision>

The main criteria may be seen below:

Vulnerable children and young people include those who:

- are assessed as being in need under section 17 of the Children Act 1989, including children and young people who have a child in need plan, a child protection plan or who are a looked-after child.
- have an education, health and care (EHC) plan.
- have been identified as otherwise vulnerable by educational providers or local authorities (including children's social care services), and who could therefore benefit from continued full-time attendance, this might include:
 - children and young people on the edge of receiving support from children's social care services or in the process of being referred to children's services.
 - adopted children or children on a special guardianship order.
 - those at risk of becoming NEET ('not in employment, education or training').
 - those living in temporary accommodation.

- those who are young carers.
- those who may have difficulty engaging with remote education at home (for example due to a lack of devices or quiet space to study).
- care leavers.
- others at the provider and local authority's discretion including pupils and students who need to attend to receive support or manage risks to their mental health.

Pupils who are considered vulnerable will be allowed to return to the College. However, it is also recognised that some vulnerable pupils will also be able to remain safely at home.

The College will continue to work with and support children's social workers to help protect vulnerable children.

There is an expectation that vulnerable children who have a social worker will attend an education setting, so long as they do not have underlying health conditions that put them at risk. In circumstances where a parent does not want to bring their child to an education setting, and their child is considered vulnerable, the social worker and the College will explore the reasons for this directly with the parent.

The College will encourage our vulnerable children and young people to attend a College, including remotely if needed. Senior pastoral staff and Designated Safeguarding Leads, working with the College Medical Team and Counsellors know who our most vulnerable children are. Vulnerable pupils will be supported in a range of ways, depending on their individual circumstances.

- They may be offered the opportunity to attend onsite educational provision that the College continues to provide for the children of key workers, as well as for vulnerable children.
- Pastoral support will be offered to pupils attending College remotely, through emails and phone calls by pastoral staff.
- Contact will be made with the parents of vulnerable children, by pastoral staff, to check on pupil wellbeing.
- Counselling, via email, phone call or Zoom, will also be offered.
- The Acting Deputy Head (Pastoral) and Designated Safeguarding Leads, working with Pastoral Teams will maintain an overview of the vulnerable children ensuring that they are supported appropriately during remote learning.

Attendance monitoring:

- Local authorities and education settings do not need to complete their usual day-to-day attendance processes to follow up on non-attendance while College sites are in closure, though the College will complete the Government's daily online attendance form.
- Staff will be reminded to report unauthorised absence in the usual manner.
- HMs' will liaise with the Deputy Head (Pastoral) and DSL when concerns about attendance in the Remote Learning Environment occur.
- Pastoral teams will work with parents and families to ensure the best possible engagement with the College's online learning provision.

Designated Safeguarding Leads:

- The Designated Safeguarding Lead and Deputies will continue to be available. The DSL and/or Deputies will continue to update and manage access to child protection files, liaising, as required, with children's social workers where they require access to children in need and/or to carry out statutory assessments at the College. The DSLs will continue to engage with social workers, and attend all multi-agency meetings, which can be done remotely.

Reporting concerns:

- Staff should continue to follow the process outlined in the College’s Safeguarding and Child Protection Policy. Staff are reminded of the need to report any concern about a pupil immediately and without delay. Recording of information on CPOMS is required.
- Where staff are concerned about an adult working with children in the College, they should report the concern to the Master.
- Concerns regarding The Master should be directed to the Chairman of Council (or in his absence, a nominated safeguarding Member of Council) using the contact details above.

Safeguarding training and induction:

DSL training will continue in the event of the College being closed through remote means. During the period that COVID-19 measures are in place, a DSL (or Acting Deputy) who has been trained will continue to be classed as a trained DSL (or Acting Deputy) even if they miss their refresher training.

All existing staff have had safeguarding training and have read Part 1 of Keeping Children Safe in Education (2020). The DSL will communicate any new local arrangements to staff, so they know what to do if they are worried about a child.

Where new staff are recruited, or new volunteers join the College, they will continue to be provided with a safeguarding induction. They will be provided with all relevant safeguarding documents and will have the usual safeguarding briefing.

If staff are deployed from another education or children’s workforce setting to the College, we will take into account the DfE supplementary guidance on safeguarding children during the COVID-19 pandemic and will accept portability as long as the current employer confirms in writing that:

- the individual has been subject to an enhanced DBS and Children’s Barred List check.
- there are no known concerns about the individual’s suitability to work with children.
- there is no ongoing disciplinary investigation relating to that individual.

Upon arrival, they will be provided with the College’s usual Safeguarding Induction.

4. Safer recruitment/volunteers and movement of staff:

It remains essential that unsuitable people are not allowed to enter the children’s workforce or gain access to children. When recruiting new staff, the College will continue to follow the relevant Safer Recruitment processes, including relevant Sections in Part 3 of Keeping Children Safe in Education 2021.

In response to COVID-19, the Disclosure and Barring Service (DBS) has made changes to its guidance on Standard and Enhanced DBS ID checking to minimise the need for face-to-face contact.

Where the College is utilising volunteers, it will continue to follow the Checking and Risk assessment process as set out in Keeping Children Safe in Education 2021.

Under no circumstances will a volunteer who has not been checked be left unsupervised or allowed to work in regulated activity. The College will continue to follow the legal duty to refer to the DBS anyone who has harmed or poses a risk of harm to a child or vulnerable adult.

Full details can be found in Keeping Children Safe in Education 2021.

The College will continue to consider and make referrals to the Teaching Regulation Agency (TRA) as per Keeping Children Safe in Education 2021 and the TRA’s ‘Teacher misconduct advice for making a referral’. During the COVID-19 period all referrals should be made by emailing Misconduct.Teacher@education.gov.uk

Whilst acknowledging the challenge of the current national emergency, from a safeguarding perspective, it is essential that on any given day, the College is aware of which staff/volunteers will

be in College, and that appropriate checks have been carried out, especially for anyone engaging in regulated activity. As such, the College will continue to ensure that all staff, volunteers and essential visitors sign in and out of the premises appropriately and will continue to keep the Single Central Record (SCR) up to date as outlined in Keeping Children Safe in Education 2021.

5. Online Safety:

The College's Online Safety Officer is Christine Kane Director of Safeguarding and DSL who, working alongside the Second Master and Head of ICT, will ensure pupils stay as safe as possible in the Remote Learning Environment.

Advice issued to pupils in this regard can be found here:

<https://www.marlbroughcollege.org/wp-content/uploads/2020/04/Pupils-Safeguarding-in-the-Remote-Learning-Environment-1.pdf>

Resources on E-Safety for pupils will also be made available and can be found here:

<https://firefly.marlbroughcollege.org/pupils---resources/e-safety>

Advice for Parents on E-Safety issues can be found on the College website here:

<https://www.marlbroughcollege.org/parents/online-safety/>

The College will continue to ensure that appropriate filters and monitoring systems are in place to protect pupils when they are online on the College's IT systems and as far as is possible, checks are made on all recommended resources.

It is important that all staff who interact with children, including online, continue to look out for signs that a child may be at risk. Any such concerns should be dealt with in line with the College's Safeguarding Policy and where appropriate, referrals should still be made to Children's Social Care and, as required, the Police.

The College will ensure any use of online learning tools and systems is in line with Privacy and Data Protection/GDPR requirements.

All advice given to Staff regarding Safeguarding and the Remote Learning Environment will be made available on Firefly and can be found here:

<https://firefly.marlbroughcollege.org/safeguarding--for-all-staff/safeguarding-in-the-rlc>

6. Supporting children not in College:

The College is committed to ensuring the safety and wellbeing of all its pupils. With the vast majority of pupils accessing the College provision remotely, it is very important that the College continues to provide pastoral care for all its pupils. The are examples of pastoral points of contact that will exist:

- Check-ins.
- PSHEE sessions and talks.
- Assemblies.
- House Assemblies.
- Weekly Tutor meetings.
- Regular communications and updates from the Master and MT.

Advice given to parents may be found here: <https://www.marlbroughcollege.org/wp-content/uploads/2020/04/Parents-Safeguarding-Guidelines-for-Continuation-of-School-Provision-by-Virtual-Learning.pdf>

7. Supporting children in College:

The College is committed to ensuring the safety and wellbeing of all its pupils. The College will continue to be a safe space for all children to attend and flourish.

Appropriate staff are on site and that staff to pupil ratio numbers are appropriate.

The College will refer to the Government Guidance for Education and Childcare Settings on how to implement social distancing and continue to follow the advice from Public Health England on handwashing and other measures to limit the risk of spread of COVID-19.

The College will ensure that appropriate support is in place for those children of critical workers and for vulnerable children on site.

8. College leavers and joiners:

The College will continue to adhere to the Children Missing Education Policy as published on the College website.

The College will continue to have appropriate regard to Data Protection and GDPR and is aware that it should not prevent the sharing of information for the purposes of keeping children safe.

9. Mental health:

The College is aware that negative experiences and distressing life events such as College closure and the current circumstances can affect the mental health of pupils and their parents.

The College will ensure that appropriate support is in place for the children of critical workers and vulnerable children whilst on site.

The College will continue to offer support to pupils who are not on site; this will be done remotely or by phone.

The College will ensure that all pupils have contact details for appropriate Support Services: they all know how to contact key Pastoral staff.

The College will make available appropriate resources and information to support pupils and families with their mental health and well-being. A link to these may be found here:

<https://www.marlboroughcollege.org/mental-health-resources/>

10. Peer- on-peer abuse:

The College will follow the principles as set out in KCSIE 2021, September 2021, its' Safeguarding and Child Protection Policy and its' Peer-on-Peer Abuse Policy.

The College will listen and work with the young person, parents/carers and any MASH partner required to ensure the safety and security of that young person. Concerns and actions must be recorded using the College's procedure and appropriate referrals made.

11. Staff Behaviour and Low-Level Concerns:

The Safeguarding of the pupils and importance of maintaining professional boundaries is just as relevant when delivering lessons via digital remote learning as it is in face-to-face teaching.

To ensure that the College continues to keep the welfare and safety of our pupils and staff at the forefront of the education provided, staff are required to be regularly reflective of their own professional boundaries.

Members of staff are in a position of trust at the College and must act in a way that is, at all times, appropriate, transparent and upholds the highest professional standards. Staff should understand the correct procedures and make the appropriate report, should they become concerned about a pupil or the actions of a member of Staff.

Members of staff should self-report, by contacting the Master, DSL or member of the Senior Management Team if:

- They are concerned that they have been in a situation which might appear compromising to others or which could be misconstrued.
- That they may, for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct for staff and volunteers with relation to Children and Young People.

Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how these might be perceived.

12. Government guidance on remote learning:

Advice followed by the College in relation to remote learning can be found in the following documents:

<https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak#res>

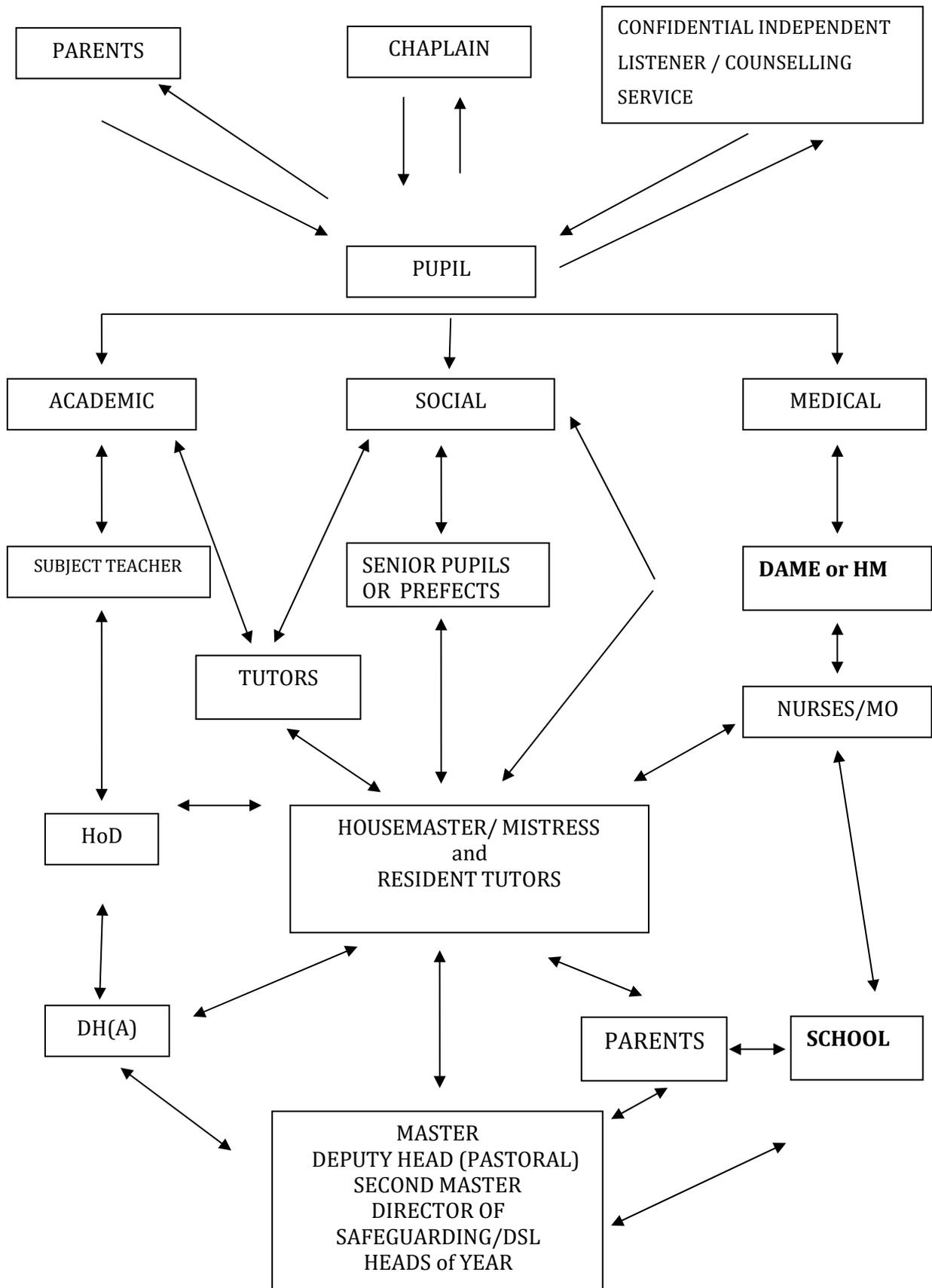
<https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19>

Appendix B

Name	Role	Responsibilities
Mrs C Kane	Director of Safeguarding and DSL	Low Level Concerns, Online Safety, CME, CTFs, Staff Training, Bursary Pupils, Young Carers,
Mr R Willmet	Head of Year	Designated Teacher for Looked after Children
Mrs J Hodgson	Acting Deputy DSL	Mental Health, CME, CTFs.
Mr J Hodgson	DSL	Teaching of Safeguarding, PSHEE, Pupil Training.
Mrs H Marvin	DSL	TA - HSBs, SH and SV.
Mr J Blake	DSL	Prevent Lead, Summer School.

Appendix C

Pastoral Care Plan
PUPIL SUPPORT SYSTEM STRUCTURE



Appendix D

Non-Accidental Injury: Signs of Possible Abuse

Common Sites for Non-Accidental Injury	Common Sites for Accidental Injury
Eyes – bruising, black (particularly both eyes)	Forehead
Cheek/side of face – bruising, finger marks	Nose
Mouth – torn frenulum	Chin
Shoulders – bruising grasp marks	Bony spine
Genitals – bruising	Elbows
Knees – grasp marks	Forearm
Skull – fracture, bruising or bleeding under skull (from shaking)	Hip
Ears – pinch or slap marks – bruising or grasp marks	Knees
Upper and inner arms – bruising or grasp marks	Shins
Chest – bruising or grasp marks	
Back inner bruising	
Buttocks outline of belt/buckles	
Thighs scalds/burns	

Non-Accidental Injuries	Accidental Injuries
Bruises - likely to be: frequent/patterned e.g., finger and thumb marks/ old and new in same place (note colour)/in unusual position. Consider: development of child and their activities/may be more difficult to see on darker skins.	Bruises - likely to be: few but scattered/no pattern/same colour and age. Consider: age and activity of child e.g. may be confused with birthmarks or other skin conditions.
Burns and Scalds – likely to have: clear outline/splash marks around burn area/unusual position e.g. back of hand/indicative shapes e.g. cigarette burns, bar of electric fire.	Burns and Scalds – likely to be: treated/easily explained, may be confused with other conditions e.g. impetigo.
Injuries suspicious if: bite marks/fingernail marks/large and deep scratches/incisions e.g. from razor blades	Injuries likely to be: minor and superficial/treated/easily explained.
Fractures likely to be: numerous – healed at different times. Consider: age of child/delay in seeking treatment.	Fractures likely to be: of arms and legs/seldom on ribs except for road traffic accidents/ rarely may be due to ‘brittle bone syndrome’.
Sexual abuse may result in: unexplained soreness, bleeding or injury to genital or anal area/sexually transmitted disease.	Genital area injury may be accidental – (seek expert advice) –soreness/irritation e.g. from bubble bath/anal soreness may be due to constipation or threadworm infestation.

PARENTAL ATTITUDE IS IMPORTANT IN ASSESSING ALL OF THE ABOVE.

WHEN A CHILD IS SUFFERING A SEVERE AND PAINFUL INJURY MOST WOULD SEEK MEDICAL HELP.

Appendix E

Safeguarding and Child Protection Briefing – all Staff

As a boarding school, Marlborough College is bound by the provision of several key pieces of legislation, to ***“safeguard and promote the welfare”*** of children in its care.

First among these is the Children Act (1989), which was updated in 2004 to include the recommendations of the Green Paper “Every Child Matters”.

The Act identifies five key welfare outcomes for children and young people:

- Being healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution
- Economic well-being

This and other legislation were incorporated into Keeping Children Safe in Education 2021 Statutory Guidance for Schools, which includes details on key safeguarding issues such as Abuse and peer-on-peer Abuse, Prevent, Forced Marriage, Mental Health, Child Criminal and Sexual Exploitation and Serious Violence. Part 1 of KCSIE is issued to all staff.

In addition, a set of National Minimum Standards for Boarding exist, last updated March 2015 which incorporate these outcomes, and it is these standards that form the basis for the College’s **“Duty of Care”** towards its pupils.

It is the responsibility of all staff to share this duty of care to *“safeguard and promote the welfare”* of the College’s pupils.

The ***promotion*** of pupil welfare is achieved by providing opportunities for satisfactory development and growth across a broad range: social, moral, spiritual, emotional, physical and intellectual.

The ***safeguarding*** of pupil welfare is achieved in two ways:

- Reasonable measures to minimise risks of harm. This includes risks of accident or injury, or risks of being abused, bullied, being lost or being taken.
- Taking appropriate actions to address concerns about welfare

In its widest sense, therefore, Safeguarding involves many aspects of the College’s work, including

- Health and Safety issues, including medical care
- Staff recruitment, induction and training
- Pastoral Care system
- Grievance procedures
- Accommodation and physical plant

Child Protection is what we do in conjunction with external agencies when a child is regarded to be suffering, or likely to suffer, significant harm

All staff have a responsibility to ensure that in their day-to-day work, pupil welfare is safeguarded by their **knowledge, understanding and actions**. What follows is presented as a Safeguarding and Child Protection Checklist for members of staff. Staff are encouraged to use the list as a way of self-auditing their own awareness of Safeguarding, and updating, where necessary, their familiarity with relevant aspects of College policies and administration. The most up-to-date version of the College’s Policies are found on the College Website and ‘A-Z Policies’ on Firefly.

Appendix F

Safeguarding and Child Protection Checklist – all Staff

Name:.....Signature.....DeptDate:.....

Knowledge: I am aware ...

	That it is the responsibility of all staff to share the duty of care to “ safeguard and promote the welfare ” of the College’s pupils
	That the Designated Safeguarding Lead is the Director of Safeguarding Christine Kane
	What to do in the event of a pupil disclosing information to me about abuse, if I have concerns about abuse, or if I receive an allegation of abuse; What to do in the event of any concern about the welfare of a child, i.e. act promptly and directly such that the concern is addressed; That any member of staff can make a direct referral to the statutory agencies (Wiltshire SVPP, MASH, Police) in the event of an immediate risk to the welfare of a child. That any such referral should be reported immediately to the Designated Safeguarding Lead. See Summary diagram in the S & CP Policy, on the Pastoral Notice Board, Common Room, or Staff Common Rooms in boarding houses.
	Appropriate Health and Safety procedures in respect of the area in which I work.
	Familiar with emergency procedures, routines, fire procedure etc. and update myself regularly → See your Line Manager for details.

Reading and Understanding: I have read and understood...

What?	Where found?
The College’s Statement of Boarding Principles and Practice / Pastoral Aims.	College Website & Firefly
The College’s Policy on Confidentiality.	College Website & Firefly
The College’s Safeguarding and Child Protection Policy that includes the Standing Guidelines on Child Abuse Matters and Appendix D: Non-accidental injury: Signs of possible abuse.	College Website & Firefly
Keeping Children Safe in Education 2021 and completion of KCSIE Questionnaire.	Induction Folder and Firefly
The “Child Protection Guidelines” laminated card	Issued to Staff
Code of Conduct for Staff and Volunteers with relation to Children and Young People.	Firefly
The College’s Behaviour Management, Countering Bullying and Peer-on-Peer Abuse Policies.	College Website & Firefly
Children Missing Education and Supervision Policies.	College Website & Firefly
Policies on E-Safety, ICT and Social Media.	College Website & Firefly

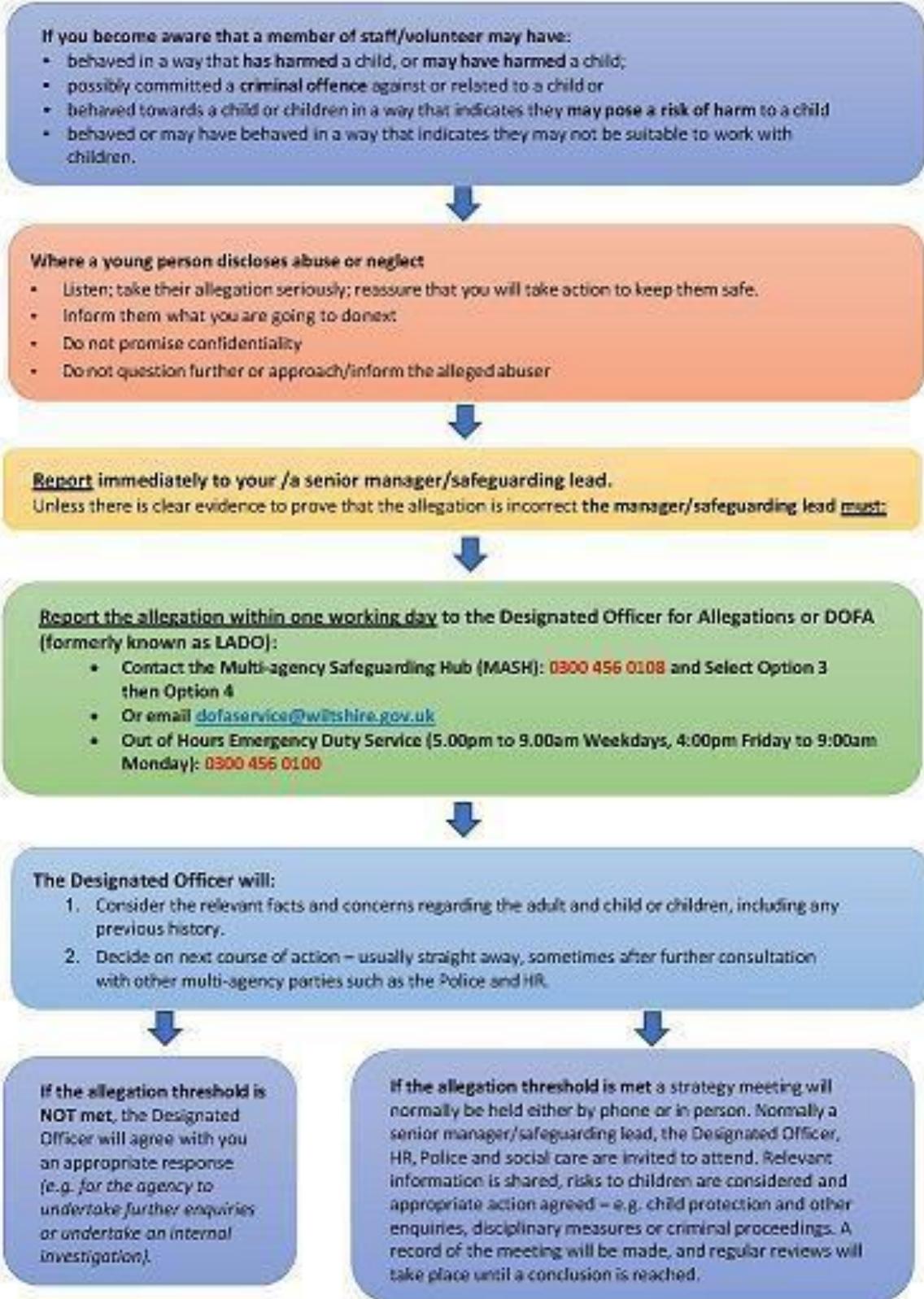
FOR COMMON ROOM AND PASTORAL STAFF ONLY

Action:

	Read the Emergency Medical List on Firefly and CR Noticeboard in respect of pupils you deal with, and amend your professional records accordingly.
	Read the Special Circumstances List on Firefly and amend your professional records accordingly. (NB List issued week 2 of Michaelmas Term and Lent Term).
	Seek training as appropriate: e.g. Using an EpiPen, Emergency First Aid in Schools, specific pastoral training.
	Ensure you are familiar in Houses with your House Tutor Handbook that includes emergency procedures, fire procedure etc. See your HM for details.



Allegations against adults who work with children



Addendum to Allegations against adults in education settings: risk of harm to children (including schools, early years and alternative provision settings) Sept 2020

**Allegation/concerns that do not meet the harms threshold – 'low level' concerns.
(KC-SiE 2021, para 407)**

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the harms threshold. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the DOFA.

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

- Being over friendly with children;
- Having favourites;
- Taking photographs of children on their mobile phone;
- Engaging with a child on a one-to-one basis in a scheduled area or behind a closed door; or,
- Using inappropriate sexualised, intimidating, or offensive language
- Low-level concerns as set out within settings staff behaviour/code of conduct and safeguarding policy.



All staff have a responsibility to share any low-level concerns about a member of staff, supply staff, volunteer, or contractor immediately to the person in charge:

Eg. headteacher, principal or proprietor/manager (insert name)
Christine Kane, Director of Safeguarding 07254 594997, ckane@marboroughcollege.org,

Any concern or allegation against the person in charge will be reported to: (insert name)

Eg. Chair of governors, owner, chair of committee, nominated trustee
The Master, Louise Maehryn-Hughes or Council Member with Safeguarding responsibility Penny Cameron Watt pcameronwatt@marboroughcollege.org

Staff should self-refer to their line manager or Designated Safeguarding Lead where they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

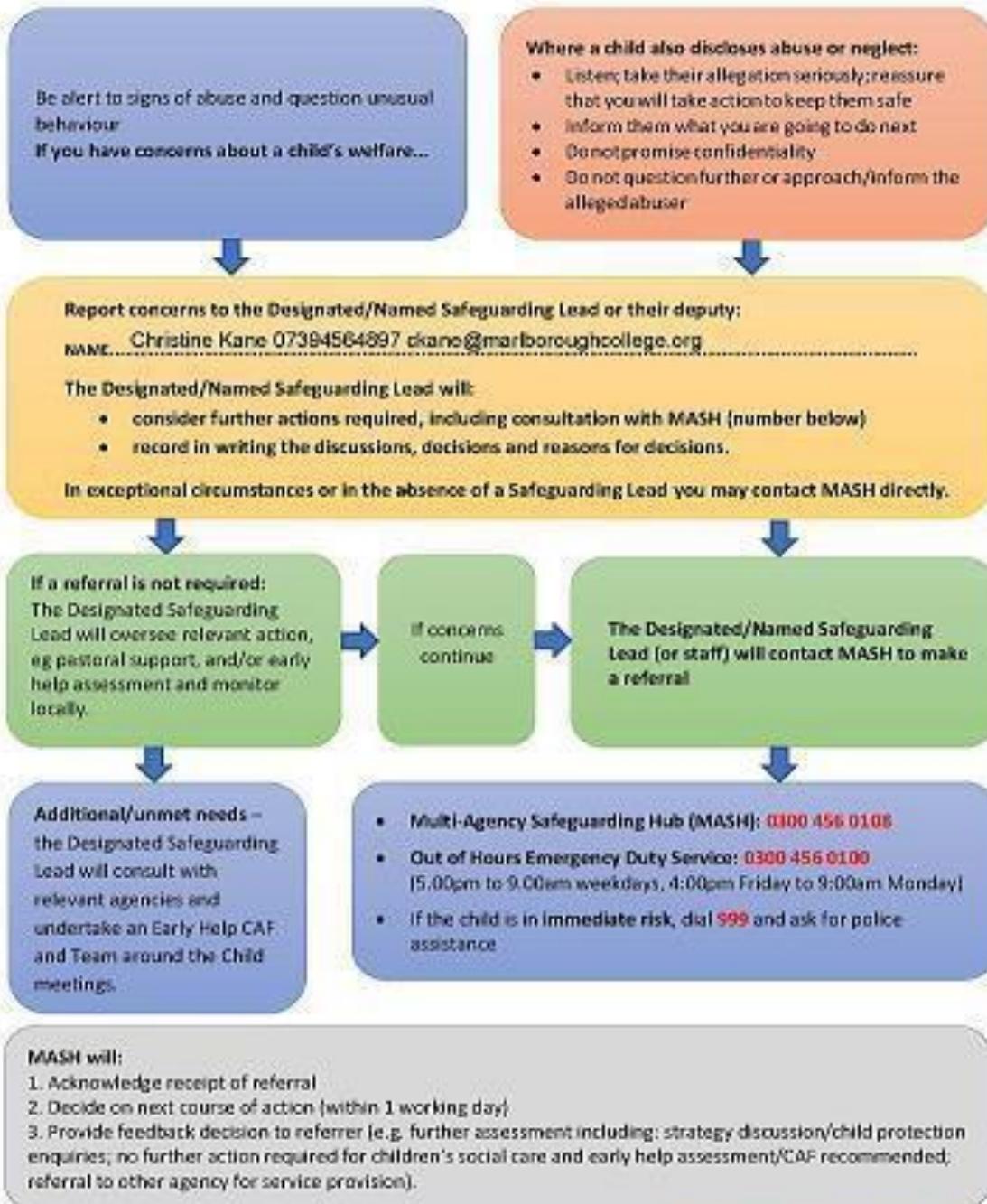


The (insert role) will take the following actions:

- Reports about supply staff and contractors will be notified to their employers.
- The (DSL) will collect information to help them categorise the type of behaviour and determine what further action may need to be taken. Actions will be responsive, sensitive and proportionate.
- All low-level concerns will be recorded in writing and will include details of the concern, the context in which the concern arose along with the rationale for decisions and action taken.
- Records will be kept confidential and held securely and will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.
- The (DSL) will seek advice from HR adviser and/or DOFA consultation as appropriate.

Safeguarding Effectiveness 'Low level' concerns Sept 2021

What to do if you are worried a child is being abused or neglected for staff, volunteers and visitors in all agencies and settings



This flowchart is intended for use as a brief guide. Refer to the DfE Guidance [What to do if you are worried a child is being abused](#) for more information, definitions and possible indicators of abuse (including child sexual exploitation).

What is Child Protection?

Child Protection covers the prevention of harm to anyone aged 18 or under through:

- neglect
 - physical injury
 - sexual abuse
 - emotional abuse
- caused by an adult or adolescent.

If you have ANY concerns about Child Protection issues at Marlborough College please speak to:

Your Line Manager or the Director of Safeguarding and Designated Safeguarding Lead, Christine Kane Mobile: 07394 564897, or 01672 892519.

Immunity from disciplinary action against such staff for 'whistle blowing' in good faith is assured.

Appendix J

THE CHILDREN ACT (1989)

Notes for All Members of Common Room

As a Boarding School Marlborough College is bound by the provision of several key pieces of legislation relating to the care of children.

First among these is the Children Act (1989), which was updated in 2004 to include the recommendations of Green Paper *Every Child Matters*. These derived from the conclusion of the Laming Report, and identify five key outcomes for children and young people:

Being Healthy
Staying Safe
Enjoying and Achieving
Making a positive contribution
Economic well-being

The Children Act is a wide reaching Act and each County SCB is responsible for ensuring that its provisions are implemented in boarding schools within its area. In 2000, the Care Standards Act amended the original 1989 Children Act and in 2002, and again in 2011 and 2013, a set of National Minimum Standards were produced, against which boarding schools should be inspected and regulated. Social Services Departments gave responsibility for inspection of social care to the Commission for Social Care Inspection (CSCI) and from 2007, to OFSTED. This role in respect of boarding schools has subsequently been taken on by the Independent Schools Inspectorate (ISI).

The National Minimum Standards (NMS) are intended to safeguard and promote the welfare of children for whom accommodation is provided by a boarding school. There are 20 Standards in total and throughout the Common Room and HM handbooks we indicate the standards being addressed. The Standards can be “mapped” against the Every Child Matters outcomes. A copy of the NMS can be downloaded from www.dh.gov.uk. Every Child Matters documentation can be viewed at www.education.gov.uk or see BHM for further details of these or other pastoral issues. The following notes are intended to summarise the gist of the most important provisions of the Children Act. It is hoped that they will of particular help to relatively new teachers.

- 1) Staff need to be aware of the importance of boarding as a way of developing independence and self-reliance in pupils and in fostering the personal and social development of boarders. In order to achieve these aims, however, it has to be recognised that the boarding environment must be secure and supportive, providing standards of care and supervision adequate to the needs of each particular age-group.
- 2) While HMs are ultimately responsible to the Master for the overall welfare of each pupil in their care, all teachers and other staff, whether or not they live or work in boarding houses, have a duty to be aware of good boarding practice and to be alert for signs of its abuse. To this end staff should be conscious of the following points:
- 3)
 - a) The School must be sensitive to the feelings of individuals and of minorities and must ensure equal opportunities, irrespective of religion, ethnic origin, cultural background, gender, sexual orientation, special educational needs, disability.

- b) Staff must be aware that pupils may suffer neglect, physical, sexual or emotional abuse and be alert for possible signs (changes of mood, drop-off of academic work etc).
If there is cause for concern – however slight – information should be passed on immediately to the pupil's HM and to the Designated Safeguarding Lead.
- c) It is important that all teaching staff should be well acquainted with the School Rules (as published in the Almanac) and be aware of areas which are out of bounds.
- d) All teaching staff must know the standard school discipline sanctions and apply them as consistently and fairly as possible. They should also be conversant with the formal Complaints Procedures for pupils (as published on House Boards).
- e) Members of Common Room need to be conscious of their duty to do everything to promote a healthy life-style for pupils. In particular this should include the encouragement of sensible sleeping, work and dietary habits and an awareness of the dangers of the misuse of alcohol and drugs and of smoking.
- f) All staff must be prepared to take and make opportunities to talk to and to listen to children. Staff should encourage discussion such that matters of e.g. complaint, bullying, unhappiness etc. can be openly aired.
- g) Good schools have caring teachers. Perhaps the most obvious everyday way in which we can demonstrate this care lies in the effort we put in to our routine teaching, in the prompt and accurate marking of written work and in the encouragement, we give our pupils, both inside and outside classrooms.

The Master

2021

Confidentiality

It is expected of each member of staff that he or she will exercise their role in the community with the utmost regard for the welfare, rights and safety of each pupil. To that end, it is understood that there will be many situations where the teacher or tutor will feel that they should be particularly sympathetic and supportive, and this is most likely to occur in one-to-one situations. It is therefore of paramount importance that adults never place themselves in the position of promising complete confidentiality when, for example, in circumstances of child abuse, bullying, substance abuse and life-threatening situations, to do so would be totally inappropriate. In such and similar cases, it is obligatory for matters to be reported to the HM, Master, or the Designated Safeguarding Lead (DSL). In cases of doubt, unofficial advice can be sought first from any member of the Management Team or the Chaplain.

The Master
September 2021



MARLBOROUGH COLLEGE
OCCUPANCY CONDITIONS
FOR SPOUSE/PARTNER AND DEPENDENTS
OF EMPLOYEES

Dated:

WHEREAS

- (1) You occupy «**Address**»('the Accommodation') as the spouse, partner or an adult (over 16) dependent of «**Name_of_Employee**»('the Employee'). The licence to occupy the Accommodation is personal to the Employee and is governed by the Service Occupancy Agreement between the Employee and the College. Your occupation of the Accommodation is contingent upon the Employee's continuing occupation of the Accommodation and continuing employment with the school.
- (2) For the avoidance of doubt, you have no occupancy rights if the Employee leaves the Accommodation or is no longer employed by the College or, in the case of a spouse or partner, where there is a breakdown in your relationship with the Employee. You are also bound by the provisions of the said Service Occupancy Agreement whilst you occupy the Accommodation.

YOU HEREBY AGREE

1. Your occupancy of the Accommodation is subject to completing an enhanced disclosure with the Disclosure and Barring Service, where appropriate, to the College's satisfaction.
2. Your occupancy of the Accommodation may be disallowed or terminated if in the College's reasonable view there is evidence to suggest that you are unsuitable to have regular contact with children.
3. You are required to notify the Director of Corporate Resources or Master if you are charged with or convicted of any criminal offence.
4. You will not, without the consent of the College, permit any other occupant to occupy the Accommodation. You will be responsible for the conduct and behaviour of all your visitors and guests and you will ensure that they have no unsupervised access to pupils of the College during their visit.
5. Unless you are remunerated by the College to assist with pupil welfare your contact with boarders is to comply with the following guidelines:
 - You should not routinely be alone with any pupil except in an emergency where health or safety is at risk.

- Any involvement with pupils' activities must be agreed beforehand with the House Master/Mistress
- You are not in any circumstances to be in the pupils' sleeping accommodation areas at any time unless accompanied by the Employee or House Master/Mistress.

6. During your occupation of the Accommodation you agree to:

- a. Avoid any excessive noise, antisocial behaviour or any activity that might reasonably create a nuisance or cause complaints from neighbours within or outside the College.
- b. Take reasonable care of the Accommodation and of any contents that are the property of the College.
- c. Abide by the College's policies including those regarding health and safety, smoking on site and for the provision of meals for staff.

7. You acknowledge and agree that no independent rights are intended to be nor are granted to you to reside in the Accommodation under this agreement and that you are obliged to vacate the Accommodation when the Employee's employment is terminated or if reasonably required by the College.

Signed

Name «Name_of_Resident» (Occupant)

Signed by the Bursar on behalf of Marlborough College

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Further information relating to specific safeguarding issues

Forms of abuse and neglect and specific safeguarding risks

Abuse and neglect

Staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label and in most cases, multiple issues will overlap with one another, therefore staff should always be vigilant and always raise any concerns with the DSL (or deputy).

Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic 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.

Definitions of abuse and neglect

Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.

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

Emotional abuse: the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or "making fun" of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyberbullying and prejudiced-based or discriminatory bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways,

or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as peer on peer abuse) in education and all staff should be aware of it.

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

Signs of abuse

Possible signs of abuse include, but are not limited to:

- the pupil says he/she has been abused or asks a question or makes a comment which gives rise to that inference;
- there is no reasonable or consistent explanation for a pupil's injury, the injury is unusual in kind or location or there have been a number of injuries and there is a pattern to the injuries;
- the pupil's behaviour stands out from the group as either being extreme model behaviour or extremely challenging behaviour, or there is a sudden or significant change in the pupil's behaviour;
- the pupil asks to drop subjects with a particular teacher and seems reluctant to discuss the reasons;
- the pupil's development is delayed, the pupil loses or gains weight or there is deterioration in the pupil's general well-being;
- the pupil appears neglected, e.g. dirty, hungry, inadequately clothed;
- the pupil is reluctant to go home, or has been openly rejected by his/her parents or carers; and
- inappropriate behaviour displayed by other members of staff or any other person working with children, for example inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role or responsibilities; or inappropriate sharing of images.

Specific safeguarding issues

Statutory guidance acknowledges the following as specific safeguarding issues:

- child abduction and community safety incidents;
- children and the court system;
- children missing from education
- Elective Home Education (EHE)
- children with family members in prison;
- child criminal exploitation and child sexual exploitation
- county lines
- modern slavery and the national referral mechanism;
- cybercrime
- domestic abuse

- homelessness;
- so-called 'honour-based' abuse (including Female Genital Mutilation and Forced marriage)
- preventing radicalisation
- The prevent duty
- Channel
- Additional support
- peer on peer/child on child abuse (see below and peer on peer abuse policy and procedure);
- Online Safety
- Sharing nudes and semi-nude images and videos
- sexual violence and sexual harassment between children in schools and colleges
- upskirting.
- The response to a report of sexual violence or sexual harassment
- Private Fostering
- Young carers
- Care Leavers
-

Further advice and links to guidance on these specific safeguarding issues can be found in Annex B of KCSIE. Staff should be particularly aware of the safeguarding issues set out below.

Child abduction and community safety incidents

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

Other community safety incidents in the vicinity of a school can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation.

Children missing from education

Children going missing, particularly persistently, can act as a vital warning sign of a range of safeguarding issues including neglect, sexual abuse and child sexual and criminal exploitation including involvement in county lines. College attendance registers are carefully monitored to identify any trends. Action should be taken in accordance with this policy if any absence of a pupil from the College gives rise to a concern about their welfare. Where reasonably possible the College will hold more than one emergency contact for each pupil.

The College shall inform the local authority of any pupil who is going to be added to or deleted from the College's admission register at non-standard transition points in accordance with the requirements of the Education (Pupil Registration) (England) Regulations 2006 (as amended).

This will assist the local authority to:

- fulfil its duty to identify children of compulsory school age who are missing from education; and
- follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse, neglect or radicalisation or involvement with serious violent crime.

The College shall inform the local authority of any pupil who:

- fails to attend College regularly; or
- has been absent without the College's permission for a continuous period of ten school days or more, at such intervals as are agreed between the College and the local authority (or in default of such agreement, at intervals determined by the Secretary of State).

Elective Home Education (EHE)

Where a parent expresses their intention to remove a pupil from College with a view to educating at home, the College will work with the local authority and other key professionals to coordinate a meeting with parents where possible, ideally before a final decision has been made. This is to ensure parents have considered what is in the best interests of their child. This will be particularly important where a child has SEND, is vulnerable, and / or has a social worker.

Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11-year olds and 12-17 year olds.

The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and trench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

Children with family members in prison

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The National Information Centre on Children of Offenders, NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children

Child Sexual Exploitation (CSE) and Child criminal exploitation (CCE)

Both CSE and CCE are forms of abuse where an individual or group (adult or another child) takes advantage of an imbalance of power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity:

in exchange for something the victim needs or wants e.g. money, gifts or affection; and or for the financial advantage or increased status of the perpetrator or facilitator; and/or through violence or threat of violence to victims (and/or their families)..

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation - where this is the case, it is important that the child perpetrator is also recognised as a victim. CSE and CCE can affect children of any sex and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

The victim may have been exploited even if the activity appears consensual.

CCE can include children being coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.

Some of the following can be indicators of both CSE and CCE, including children who:

- appear with unexplained gifts, money or new possessions;
- associate with other young people involved in exploitation;
- suffer from changes in emotional well-being;

- misuse drugs and alcohol;

go missing for periods of time or regularly come home late; or regularly miss school or education or do not take part in education.

Children who have been exploited will need additional support to help maintain them in education.

CSE can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media). The above CCE indicators can also be indicators of CSE, as can children who:

have older boyfriends or girlfriends; or

suffer from sexually transmitted infections or become pregnant.

County lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas within the UK, using dedicated mobile phone lines or other form of "deal line". They are likely to exploit children and vulnerable adults to move, store and sell the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

Children are increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

Number of the indicators for CSE and CCE as detailed above (and in Annex B of KCSIE) may also be applicable to children involved in county lines.

Additional reporting duties:

if a child is suspected to be at risk of, or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation;

where a pupil may have been trafficked for the purpose of transporting drugs, a referral to the National Referral Mechanism should be considered.

Serious violence

Indicators which may signal children are at risk from, or are involved with serious violence crime may include:

- Increased absence from school;
- a change in friendships or relationships with older individuals or groups;
- a significant decline in performance;
- signs of self-harm or a significant change in wellbeing;
- signs of assault or unexplained injuries; and
- unexplained gifts or new possessions (which may also indicate a child is at risk of criminal exploitation).

Staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence e.g. being male, having frequently absent or permanently excluded from College, having experienced child maltreatment and having been involved in offending, such as theft or robbery. Further advice for schools is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of

children and vulnerable adults: county lines guidance.

Modern Slavery and the National Referral Mechanism

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the Modern Slavery Statutory Guidance. Modern slavery: how to identify and support victims - GOV.UK (www.gov.uk)

Cybercrime

Cybercrime is a criminal activity committed using computers and / or the internet. It's broadly categorised as either "cyber-enabled" (crimes that can happen off-line but enabled at scale and speed online e.g. fraud, purchasing of illegal drugs, child sex abuse and exploitation) or "cyber-dependent" (crimes that can only be committed by using a computer).

Cyber-dependent crimes include:

- unauthorised access to computers (illegal hacking) e.g. accessing a school's computer network to look for test papers or change grades awarded;
- denial of Service (Dos or DDos) attacks or "booting" - attempts to make a computer, network or website unavailable by overwhelming it with internet traffic;
- making, supplying or obtaining malware e.g. viruses, spyware, ransomware, botnets and Remote Access Trojans with intent to commit further offence.
- Children with particular skills and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

The DSL (or deputy) should consider referring into the Cyber Choices programme if they have concerns. This is a nationwide programme which intervenes when young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

Domestic abuse

The statutory definition of domestic violence and abuse is based on the previous cross-government definition: it is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The definition captures a range of different abusive behaviours, including physical, sexual, emotional and economic abuse and coercive and controlling behaviour. The Domestic Abuse Act 2021 now recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Further advice on identifying children who are affected by domestic abuse and how they can be helped can be found in Annex B of KCSIE. This includes details about Operation Encompass which operates in -all police forces across England, helping schools and police work together to provide emotional and practical help to children.

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) is aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's social care will be the lead agency for these children and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances.

So-called 'honour-based' abuse

All forms of so-called 'honour-based' abuse are abuse (regardless of motivation) and should be handled and escalated as such. Abuse committed in the context of preserving "honour" often involves additional risk factors such as a wider network of family or community pressure and the possibility of multiple perpetrators which should be taken into account when deciding what safeguarding action to take. Staff should speak to the DSL if they have any doubts.

If appropriate, the DSL will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

Female genital mutilation (FGM)

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

There is a range of potential indicators that a child or young person may be at risk of FGM. Guidance on the warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 38-43 of the Multi-agency statutory guidance on FGM (HM Government, July 2020) (pages 61-63 focus on the role of schools).

All staff must be aware of the requirement for teachers to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. The report should be made orally by calling 101, the single non-emergency number. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the DSL and involve children's social care as appropriate. If the teacher is unsure whether this reporting duty applies, they must refer the matter to the DSL in accordance with this policy. See the Home Office guidance Mandatory Reporting of Female Genital Mutilation - procedural information (January 2020) for further details about the duty.

Guidance published by the Department for Health also provides useful information and support for health professionals which will be taken into account by the College's medical staff. The National FGM Centre has also produced FGM guidance to help schools understand their role in safeguarding girls, engaging parents and teaching about FGM.

Forced marriage

Forced marriage is also a form of so-called 'honour-based' abuse. Forcing a person into marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage.

Guidance on the warning signs that forced marriage may be about to take place, or may have already taken place, can be found on pages 13-14 of the Multi-agency practice guidelines: Handling cases of Forced Marriage (HM Government, June 2014).

Staff should speak to the DSL if they have any concerns. Pages 32-36 of the Multi-agency practice guidelines: Handling cases of Forced Marriage (HM Government, June 2014) focus on the role of schools in detecting and reporting forced marriage and the Forced Marriage Unit can be contacted on 020 7008 0151 or fmf@fco.gov.uk for advice and information.

Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

- Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- Terrorism is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

The designated safeguarding lead (and any deputies) are aware of local procedures for making a Prevent referral.

The Prevent duty

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism".¹³⁴ This duty is known as the Prevent duty.

obligations. Designated safeguarding leads and other senior leaders in schools should familiarise themselves with the revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). Designated safeguarding leads and other senior leaders in colleges should familiar themselves with the Prevent duty guidance: for further education institutions in England and Wales. The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.

Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

The designated safeguarding lead should consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the new school or college to continue supporting victims of abuse or those who are currently receiving support through the 'Channel' programme, and have that support in place for when the child arrives.

Additional support

The Department has published further advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support.

According to the Prevent duty guidance 'having due regard' means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.

Peer on peer/child on child abuse

Children can abuse other children (often referred to as peer on peer abuse) and it can take many forms. It can happen both inside and outside of school/college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports. This can include (but is not limited to): bullying (including cyberbullying, prejudice-based and discriminatory bullying); abuse within intimate partner relationships; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexual violence and sexual harassment; consensual and non-consensual sharing of nude and semi-nude images and/or videos; causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party; upskirting and initiation/hazing type violence and rituals. Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

The College's policy and procedures for dealing with peer on peer abuse can be found in the peer on peer abuse policy on Firefly.

Online safety

All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many

cases abuse will take place concurrently via online channels and in daily life.

It is essential that children are safeguarded from potentially harmful and inappropriate online material. An effective, whole school approach to online safety empowers a school to protect and educate pupils, and staff in their use of technology and establishes mechanisms to identify, intervene in, and escalate any concerns where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- content: being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- contact: being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and / or pornography, sharing other explicit images and online bullying; and
- commerce: risks such as online gambling, inappropriate advertising, phishing and or financial scams. If pupils, students or staff are at risk, it should be reported to the Anti-Phishing Working Group.
-

Sharing nudes and semi-nude images and videos

Consensual and non-consensual sharing of nudes and semi-nude images and / or videos can be signs that children are at risk.

"Sharing nudes and semi-nudes" means the taking and sending or posting of nude or semi-nude images, videos or live streams by young people under the age of 18 online. This could be via social media, gaming platforms, chat apps or forums. It can also involve sharing between devices offline e.g. via Apple's AirDrop. This is also known as sexting or youth produced sexual imagery.

The College treats all incidences of sharing nudes and semi-nude images as safeguarding matters to be actioned in accordance with this policy.

Members of staff must not intentionally view any nude or semi-nude images which are reported to them, or copy, print or share the images under any circumstances. In referring any incident of sharing images, members of staff should describe the content of the images as reported to them.

The DSL may in exceptional circumstances view images with the prior approval of the Master and only where:

- it is the only way to make a decision whether to involve other agencies, as there is insufficient information available as to its contents;
- it is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the pupil or parent in making a report; or
- a pupil has reported the image directly to a member of staff in circumstances where viewing the image is unavoidable or images have been found on the College's devices or network.

Where viewing an image is unavoidable:

- viewing should take place on College premises wherever possible;
- the image should be viewed by a person of the same sex as the person alleged to be shown in the image (where this is known);
- a senior member of staff should be present to monitor and support the person viewing the image. This member of staff should not view the image;

- full details of the viewing must be recorded in the College's safeguarding records, including who was present, the date and time, the nature of the image and the reasons for viewing it;
- any member of staff who views an indecent image should be given appropriate support.

If any devices need to be confiscated (whether in order to view the image(s) or to pass evidence to the appropriate authority), they should be turned off and locked away securely until they are required.

If an electronic device that is prohibited by College rules has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, or that it contains a pornographic image of a child or an extreme pornographic image, the device will be given to the police.

If external agencies do not need to be involved, the College must consider the deletion of any images. Pupils should be asked to delete images themselves and to confirm that this is done. Members of staff should not search devices to delete images.

If images have been shared online and cannot now be deleted by the person who shared them, the College should consider reporting the images to the relevant web host or service provider (if an option is provided), or contacting the Internet Watch Foundation or ChildLine (if the website does not provide this option).

Where a pupil receives unwanted images, the College should advise the pupil and his/her parents of options that may be available to block the sender or to change the pupil's mobile phone number or email address.

The UK Council for Internet Safety's advice note *Sharing nudes and semi-nudes: advice for education settings working with children and young people* (DCMS and UKCIS, December 2020) contains details of support agencies and provides further information for schools on how to responding to incidents of sexting.

The Home Office has published *Indecent images of children: guidance for young people* (November 2019) to help young people understand the law on indecent images of children and how to navigate the internet confidently and safely within legal boundaries.

Sexual violence and sexual harassment between children in schools and colleges

Sexual violence and sexual harassment can occur between two children of any age and sex from primary to secondary stage and into colleges. It can also occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and face to face (both physically and verbally) and are never acceptable.

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

Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk.

Staff should be aware of the importance of:

- challenging inappropriate behaviours;
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and,
- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

What is sexual violence and sexual harassment?

Sexual violence

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen

both inside and outside of school/college. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003 as described below:

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

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

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone’s bottom/breasts/genitalia without consent, can still constitute sexual assault.)

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

What is consent?

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

Sexual harassment

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised

environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- consensual and non-consensual sharing of nude and semi-nude images and/or videos.
 - o sharing of unwanted explicit content;
 - o upskirting (is a criminal offence¹⁴¹);
 - o sexualised online bullying;
 - o unwanted sexual comments and messages, including, on social media;
 - o sexual exploitation; coercion and threats.

Upskirting

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. ‘Upskirting’ is where someone takes a picture under a person’s clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.

The response to a report of sexual violence or sexual harassment

The initial response to a report from a child is incredibly important. How the school or college responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward. Schools and colleges not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying of some behaviours can actually lead to a culture of unacceptable behaviour. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out from paragraph 55 in Part one of this guidance. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

Special educational needs and disabilities (SEND) or physical health issues

The College welcomes pupils with special educational needs and disabilities and will do all that is reasonable to ensure that the College's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone.

Additional barriers can exist when detecting the abuse or neglect of pupils with a special educational need or disability or certain health conditions that can create additional safeguarding challenges for those involved in safeguarding and promoting the welfare of this group of children. The College is mindful in particular that:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the pupil's condition without further exploration;
- pupils with a special education need or disability or certain health conditions may be more prone to peer group and isolation and can be disproportionately impacted by bullying (including prejudice-based and discriminatory bullying) without outwardly showing any signs; and
- there may be communication barriers which are difficult to overcome to identify whether action under this policy is required.

The College will consider providing extra pastoral support and attention for these pupils, along with ensuring any appropriate support for communication is in place.

Private Fostering

Private fostering is when a child under the age of 16 (under 18 if disabled) is cared for by someone who is not their parent or a 'close relative'. This is a private arrangement made between a parent and a carer, for 28 days or more. Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half blood or marriage/affinity).

There is a duty on the part of parents and prospective carers entering into private fostering arrangements to notify their local authority. This is in order to safeguard and protect the child's welfare as well as ensuring the child, carer and parent are receiving appropriate support and help.

Local authorities have a legal duty to safeguard the well being of privately fostered children. Once notified Children's Social Care will visit the child and carer and undertake an assessment of the placement and offer support as appropriate.

Looked after children and previously looked after children

The Proprietor ensures that staff have the skills, knowledge and understanding to keep looked after children safe and the information they need in relation to a child's looked after legal status, for example:

- whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order;
- contact arrangements with birth parents or those with parental responsibility;

information about a child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her.

The DSL maintains these details, including contact details of the child's social worker.

Care leavers

The DSL maintains details of the local authority personal advisor appointed to guide and support care leavers and liaises with them as necessary regarding any issues of concern.

Young Carers

A young carer is a person under 18 who regularly provides emotional and/or practical support and assistance for a family member who is disabled, physically or mentally unwell or who misuses substances.

The Carers (Recognition and Services) Act 1995 defined young carers as “Children and young people (under 18) who provide or intend to provide a substantial amount of care on a regular basis”. The DSL maintains a list of pupils who are considered young carers to ensure that appropriate support is in place.

Section 17 Children Act 1989 places a duty on Local Authorities to assess whether a young carer in their area needs support and what those needs are if:

it appears to the Local Authority that a young carer may have need for support;
the Local Authority receive a request from a young carer or a parent of a young carer to assess the young carer’s need for support; or
an assessment has been carried out, but the circumstances of the young person or person being cared for have changed.

Remote learning

If the college is required to change the way provision to children is offered due to exceptional circumstances eg during a pandemic lockdown, self-isolation, staff responsibilities to remain alert to the signs and risks of abuse to children will continue to apply. In such circumstances:

The DSL will:

- work closely with social care and partner agencies to support children in these circumstances and to identify children who may be at risk for the first time and/or benefit from additional support
- use specific local and national guidance about safeguarding in such circumstances to inform practice eg UK Safer internet centre guidance, DfE safeguarding and remote education and
- will ensure staff, children, and families are provided with written amended DSL arrangements as required (names, location and contact details)