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Policy/Procedure Author:	Head of Safeguarding
Policy/Procedure Owner:	Principal
Approved By:	Senior Management Team
Governor Committee (where appropriate) Approved By:	Quality and Performance Committee
For Action By:	All Staff
For Information to:	All Students
Approval requested to upload on the Treloar Website:	Yes
Who is carrying out EIA?	Jeremy Curtis Date: 20 September 2017
Have we shown due regard for the 9 protected characteristics within the policy/procedure?	Yes
Are all opportunities to promote equality taken within the policy/procedure?	Yes
Refer Policy/Procedure to EDI Co-ordinator for further assessment	No

Aim

The aim of this policy is to set out how Treloar's School and College will ensure that all students are safeguarded from harm in line with statute, regulation, guidance, national minimum standards and good practice.

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Are you worried about a student? Do you think that they are being abused, or that they could be hurt or harmed?

Make sure they are safe and call the safeguarding manager on **07825 262 418** for advice and support– 24 hours a day, 365 days a year

IF IN DOUBT, SPEAK OUT

Are you worried about the behaviour of a member of staff (or visitor, volunteer)?

Could this behaviour harm a student?:

Make sure students are safe and call the safeguarding manager on **07825 262 418** for advice and support– 24 hours a day, 365 days a year

Statement of Policy

This policy provides the framework whereby Treloar's will safeguard and protect children and young adults from harm regardless of the source of harm – be that from within the individual's' home environment, harm caused by peers, harm from staff or volunteers or self harm.

We hope to provide all students with a safe and caring atmosphere, but will always maintain an attitude of "**it could happen here**" where safeguarding is concerned.

Whilst the focus of this policy will be on Treloar students, we have a duty and responsibility to safeguard all children and adults with whom we may come into contact, be they students, tenants, visitors, siblings, staff members, volunteers or members of the public.

This policy incorporates Treloar's child protection policy.

Although principles are similar, the safeguarding and protection of adults and children are governed by different legislation. A child is subject to legislation on account of their age, an adult by their care and support needs.

Treloar's Trust recognises the right of all people to live and work in a safe environment and in an environment where they feel safe. We are committed to safeguarding and promoting the welfare of children, young people and adults with care and support needs and will do this by adopting the following principles.

Everyone at Treloar's has a responsibility to prevent, recognise and act on harm, abuse and neglect.

Everyone has the right to live free from abuse and neglect.

Everyone has the right to be treated with respect and dignity, with a right to privacy.

To ensure this Treloar's will:

- help students keep themselves safe
- not tolerate any kind of abuse to anyone
- keep the interests of students at the centre of any safeguarding activity
- involve students and the parents and family as appropriate in decision-making and investigations of abuse
- ensure our students are aware of safeguarding policies and procedures.
- ensure all staff and volunteers understand their role in relation to safeguarding. We will provide appropriate training and ensure staff are competent in preventing, recognising and acting on abuse and neglect, and create the conditions whereby students are kept safe.
- promote an organisational culture of openness, so that staff, volunteers and students can raise their concerns, and know that they will be listened to, without worrying that something bad will happen as a result.
- ensure that all actions will take into account and respond to individuals' race, culture, religion, gender, sexual orientation, disability and communication needs.
- ensure that individuals against whom an allegation has been made have the right to fair and unbiased treatment, and to be kept fully informed, whilst prioritising the safety of children and adults who use our service.
- take positive action where abuse is identified or suspected.

- ensure that processes are in place to check suitability of staff (including contractors and external students, volunteers and students working closely with students). All will have undergone recruitment processes, including DBS disclosures in line with Government guidance.
- operate an effective whistle blowing policy.
- operate zero tolerance to any forms of abuse, bullying or discrimination.
- create an environment where the likelihood of harm is reduced.

This policy is consistent with Hampshire Safeguarding Children Partnership (HSCP) child protection procedures and Hampshire Safeguarding Adults Board (HSAB) safeguarding procedures.

The college, school secondary and primary stages, and early years all have different needs. While this policy applies to all age groups, they will have different needs, and staff should respond accordingly. Different stages are subject to different regulations and managers will take heed of these in planning services.

Scope of policy

The policy applies to all staff, (including agency staff), employed by the school and college, temporary staff, trustees and governors volunteers, contractors and students.

The policy applies to children and adults unless stated otherwise.

Legal responsibilities

Treloar's operates with a legal framework and will ensure that all staff work within this.

Treloar's will ensure its policies and procedures comply with statute including:

- Children Acts 1989 and 2004,
- Mental Capacity Act, 2005
- Safeguarding Vulnerable Groups Act 2006.
- Care Act 2014
- General Data Protection Regulation (GDPR) 2018
- Data Protection Act 2018
  It will also comply with associated regulation and statutory guidance including:
- Working Together to Safeguard Children (2018),
- National Minimum Standards, CGC and Ofsted registration standards and Local Safeguarding Children Board and local authority procedures.
- Keeping Children Safe in Education (2019)
- Mental Capacity Act Code of Practice
- Deprivation of Liberty Safeguards Code of Practice.
- Care Act Guidance 2014
- Prevent Duty Guidance 2015
- Child Care Act 2006 including guidance on those disqualified under this legislation.
- Statutory framework for the early years foundation stage

Unlawful behaviour will not be tolerated and where appropriate regulatory and investigatory authorities will be informed.

Student focus

The student who is at risk of or suffering abuse is the focus of intervention. They must be treated with dignity and respect and involved as much as is practicable in the process outlined in this document. Where communication or other difficulties impede participation, steps should be taken to overcome them.

Students can be perpetrators as well as victims and their needs must be considered as long as is consistent with this policy. Further detail regarding how to respond to concerns about “peer on peer” abuse is contained within Policy SMT048 Managing Allegations Against Pupils.

Equality and diversity

Any activities must take into account and respond to students' race, culture, religion, gender, sexual orientation, disability and communication needs.

Self determination and consent

Students should have the greatest possible control over their lives. Available information and options should be clearly outlined to assist students in expressing their wishes.

For students over the age of 16 the Mental Capacity Act 2005 applies and there is a presumption that they have capacity to make decisions, unless proven otherwise. This does not however override our duty to ensure that students are safe and protected from harm.

Sharing information and confidentiality

There is a presumption that information will be shared with those who need to know. Most personal information will only be shared with the informed consent of the student, however, there will be occasions when lack of consent will be overridden, for example when it is used to prevent harm, a crime has been committed or when it is assessed that the student does not have capacity to make the decision.

No member of staff should ever promise absolute confidentiality, and should always consider that information may need to be shared to protect the student, or others.

An assessment of whether a child is capable or competent to giving the necessary consent will depend on the child’s maturity and understanding and the nature of the consent required. The child must be capable of making a reasonable assessment of the advantages and disadvantages of the course of action proposed, so the consent, if given, can be properly and fairly described as true consent.

An assessment of whether a student aged 16 or over is able or not to give consent will be governed by the Mental Capacity Act.

The Data Protection Act 2018 and the GDPR place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure. **The Data Protection Act 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes 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.**

Staff training and support

All staff, volunteers and governors and trustees will receive safeguarding training, support and supervision appropriate to their role.

At Treloar all staff are expected to have completed Safeguarding training either prior to starting their role, or shortly after starting.

All staff will receive safeguarding updates relating to changes in legislation, regulation, guidance and good practice as appropriate. This will be through inset-day training sessions, emails, information on sharepoint, staff briefings and focused training for specific groups of staff. Whilst the expectation is that all receive at least a yearly update in practice this will be more frequent.

All staff are required to read Part 1 of Keeping Children Safe in Education (2019)

Definitions

Abuse is a violation of an individual's human and civil rights by any other person or persons.

A child is anyone up their 18th birthday. Young people below the age of 18 will be referred to as children in this policy.

An adult with care and support needs is someone 18 years or over and defined in the Care and Support (Eligibility Criteria) Regulations 2014. All adults at Treloar's, by virtue of their being admitted, have care and support needs.

A parent is anyone with parental responsibility for a child.

Safeguarding goes beyond protection and involves creating the conditions whereby harm is prevented and students welfare is promoted

Types of abuse

See Appendix 3

Roles and responsibilities

Governors

The governors have a responsibility to hold the Principal to account for the effectiveness of Treloar's policies and procedures. This includes ensuring that there are appropriate policies in place that are understood and used effectively and that their effectiveness is regularly monitored. Two governors have specific responsibilities for safeguarding; one of whom also has specific responsibilities for looked after children.

The Principal

The Principal of the school and college has a responsibility to ensure that the policies, procedures and systems are effective in safeguarding children and adults with care and support needs. They also have a responsibility to ensure that members of the Senior Management Team prioritise safeguarding.

The Head of Safeguarding

The Head of Safeguarding is responsible for:

- Having lead responsibility for safeguarding and child/adult protection in Treloar
- ensuring that effective policies, procedures and systems are in place for safeguarding students;
- briefing the principal, senior managers, governors and trustees of relevant safeguarding issues
- the effective implementation and operation of safeguarding policies, procedures and systems;
- ensuring that staff are trained in safeguarding;
- enabling students to discuss safeguarding matters with a trusted adult;
- ensuring that the Trust works with outside agencies where necessary. This will include cooperating with the police and local authorities in the investigation abuse and the prevention of harm, CQC and Ofsted.
- Ensure that concerns, discussions and decisions made relating to safeguarding issues are recorded appropriately, and are shared where necessary.
- Referring cases where a person is dismissed or left due to risk/harm to a student to the Disclosure and Barring Service as required
- Act as a "point of contact" with the three safeguarding partners
- Liaise with the Local Authority Designated Officer, CQC and other bodies as required
- Act as a source of support, advice and expertise for all staff

The Head of Safeguarding is the Designated Safeguarding Lead (DSL) for Children and Adults
The Head of Safeguarding will ensure that s/he is available or a deputy when students are present on campus. This will normally mean that a DSL or deputy is present on campus during school hours.

Further information about the DSL for children can be found at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf

Managers

All managers have the responsibility for:

- ensuring safeguarding is considered when undertaking all activities;
- promoting awareness of this policy and related procedures though supervision and distribution of guidance;
- ensuring their staff receive agreed safeguarding training

- ensuring that appropriate action is taken in line with this policy wherever safeguarding concerns arise;
- promoting the safety of students;
- calling on emergency services appropriately where there is immediate danger.
- making students aware of the policy and procedures;
- cooperating with any enquiry into safeguarding matters conducted by the Head of Safeguarding and statutory agencies;
- working with other professionals to prevent abuse.

Staff

All staff have the following responsibilities to:

- treat all students with dignity and respect.
- ensure students' welfare is the paramount consideration in all they do.
- Follow care plans, training and guidance provided to them by qualified professionals, and to only operate in line with their level of professional expertise
- take action against abuse wherever it is suspected with reference to policy and guidance;
- cooperate with the police, local authorities, CQC and Ofsted in the investigation of abuse and prevention of harm;
- reassure students that they will be listened to;
- work with other professionals to prevent abuse;
- be aware of the signs of abuse;
- ensure their training is updated according to Treloar's policy;
- reporting safeguarding concerns to their manager or DSL without delay;
- sharing information (within the law) whenever necessary to safeguarding students and promote their welfare.

External Investigation

When a safeguarding issue arises as defined by LSCB or HCC Adult Safeguarding procedures, the Head of Safeguarding or his or her deputy will alert relevant authorities. If the harm has occurred at Treloar's or involved Treloar's staff or volunteers a referral will be made to Hampshire County Council Children or Adult Services as relevant in line with HSCP and HASB procedures, with notification to the Local Authority Designated Officer. If a criminal offence appears to have been committed or alleged the police will also be informed. The students funding authority will also be informed.

CQC will be notified of all referrals to HCC for safeguarding matters in the areas that they have responsibility.

The Education and Skills Funding Agency (ESFA) need to be notified in cases that require police investigation. This will be undertaken by the Head of Safeguarding or deputy

If the harm relates to students home or home area, the home local authority will be notified as any investigation will be their responsibility. If there is doubt, for example it is not clear where an injury occurred, Hampshire County Council must always be notified. If there is any dispute or concern that Local Authorities are not taking appropriate responsibility with regards to a safeguarding concern the Head of Safeguarding will escalate this in line with Local Safeguarding Adult/Children's Board procedures for the relevant authority.

Prevention

Treloar's recognises that safeguarding children and adults with care and support needs requires more than a response when abuse or risk of abuse is identified. It will therefore strive to create the conditions where abuse and neglect is prevented from occurring in the first place. It will do this by:

- operating a policy of zero tolerance of abuse and bullying;
- empowering students to take responsibility for their own behaviour;
- ensuring access to managers with expertise in safeguarding;
- ensuring that students have trusted adults to speak with when the behaviour of others concerns them;
- ensuring students have knowledge of abuse and what to do when they see it;
- ensuring students have knowledge of relationships and sexuality;
- operating a Sexuality and Further Education (SAFE) policy which covers personal relationships
- ensuring that all staff are familiar with this policy and receive appropriate regular training.
- Ensuring that appropriate safeguards are in place to monitor and filter online use by students and staff, and that students and staff are supported to understand both the benefits and risks of technology use, and how to address any concerns

Early Help

All school and college staff should be prepared to identify children who may benefit from early help. 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. In the first instance, staff should discuss early help requirements with the designated safeguarding lead. Staff may be required to support other agencies and professionals in an early help assessment.

While most children at Treloar's will receive significant community services, it is important to recognise that needs change over time and emerging needs may require external referral.

Any child may benefit from early help, but all school and college staff should be particularly alert to the potential need for early help for a child (whether a Treloar student or simply someone whom we are aware of) who:

• is disabled and has specific additional needs
• has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
• is a young carer
• is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
• is frequently missing/goes missing from care or from home
• is at risk of modern slavery, trafficking or exploitation
• is at risk of being radicalised or exploited
• is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse
• is misusing drugs or alcohol themselves
• has returned home to their family from care
• is a privately fostered child

Employment

Treloar's has detailed policies detailing

- safer recruitment practice;
- safe working; and
- allegations management

These policies will relate to employed staff, contractors, volunteers, governors and trustees.

Links with Other Policies and Procedures

- Managing allegations against pupils (“peer on peer abuse”)
- Risk taking in relation to Students
- Disciplinary and Capability Procedures
- Policy on the Disclosure of Malpractice (Whistleblowing)
- Policy for the Management of Challenging Behaviour
- Restraint Policy
- Deprivation of Liberty Safeguards – Practic and Procedures
- Sexuality and Further Education (SAFE)
- Recruitment Policy and Procedures
- Guidelines for Professional Practice
- Confidentiality and Disclosure of Information
- Harassment and Bullying Policy
- Supervision Policy
- DBS Policy
- Esafety Policy
- Anti bullying policy
- Looked after children policy
- Missing children Policy
- Visitors and Guest Speakers Policy
- Mental Capacity Act Policy

Communication Requirements

How will the Policy/procedure be communicated:	Sharepoint School and College Briefings Team meetings Safeguarding Training	
Who will ensure the above communication is carried out::	Head of Safeguarding Managers	
Do the changes made to this policy/procedure affect any other policies/procedures? If yes, has this been communicated to the policy/procedure author/owner		No

Monitoring and Review

The effectiveness of the policy will be monitored through safeguarding Quality Assurance processes.

Revision History

- 2016 - Changes to incorporate changes in Government Guidance, Keeping Children Safe in Education 2016 and Care Act 2014 Guidance
- 2016 - Additional duty to report suspected FGM
- 2017 - Reporting changes dictated by EFSA contract
- 2018 – Updated to incorporate Working Together 2018 & KCSiE 2018
- 2019 – references to Safeguarding Board amended to Safeguarding Partnership
  Updated re: KCSiE 2019
  Clarified training arrangements
  Introduced clearer “Safeguarding Whistleblowing” appendix for clarity
  Quick Guide added to start
  Appendix 4 – sexual behaviour information and risk assessment added in line
  Appendix 8 – revised to include information on definition of concerns, complaints and allegations

Further sources of information:-

- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education (2019)
- Care Act Guidance 2014
- Mental Capacity Act 2005 Code of Practice
- HASB Safeguarding Policy
- HSCP Child Protection Procedures
- What to do if you are worried a child is being abused

See links in Appendices for relevant further information

IMPORTANT NOTES:

It is essential for those with designated responsibilities to familiarise themselves with the sources of information, referred to above.

Policy documents describe mandatory minimum standards and will be subject to audit and review. Line managers are required to ensure suitable and sufficient arrangements are in place to meet policy requirements, including the provision of information and instruction to staff.

Appendix 1 - Staff safeguarding guidelines for when harm is suspected, disclosed or witnessed

CONCERNED ABOUT A STUDENT?
IF IN DOUBT SPEAK OUT – CALL 07825 262 418

These guidelines include:-

- What to do if you are worried a student is being harmed or at risk of being harmed.
- Staff conduct when faced with a student says they have been abused or are at risk of abuse.
- Flowchart of procedures to follow when abuse is witnessed or disclosed
- Further explanation of flowchart.

Please also see "What to do if you're worried a child is being abused: Advice for Practitioners"

What to do if you are worried a student is being harmed or at risk of being harmed.

If you are worried a student may have been harmed or at risk you must discuss the concerns with your manager or the Head of Safeguarding[1] in person or by phone without delay. The whereabouts of the Head of Safeguarding are held with the Principal's Office

If the student is in danger you should first **make sure they are safe**.

If urgent medical attention is needed you should first contact the Health Centre without delay.

If the student has marks or injuries contact the Health Centre and request they provide any necessary medical care and complete a body map on Caresys. If a nurse is not available complete a skin map (see below).

The Head of Safeguarding or the duty safeguarding manager can be contacted on **07825 262418 or x6462**.

If the Head of Safeguarding is not available a message can be left, but must be followed up if no response is received in an hour. If the Head of Safeguarding is still unavailable, another member of SMT must be contacted. If in doubt, discuss with your senior.

If the concern arises out of hours, contact your shift manager or on call residential manager in the first instance. They may need to liaise further with the on-call Safeguarding Manager See below for details

Do not rely on email or any other written communication to make a safeguarding referral – SPEAK TO SOMEONE IN PERSON OR VIA PHONE.

Once the student is safe and you have informed the Head of Safeguarding or a suitable manager, record the details of any incident and email the Head of Safeguarding. This should include:

- Why you are concerned
- If it is an incident, what happened;

[1] NB out of hours, the on call residential manager should be contacted.

- If a student has told you something, use their own words;
- Who witnessed it;
- What action you have taken to protect the student;
- What further action is planned.

What to do if you a student tells you they are being harmed or are worried about being harmed

If a student tells you that they have been abuse or neglected, or if they are frightened they might be, or if they know some else in that position, follow **the 5 Rs**.

Recognise:

- Listen to what is being said without displaying shock or disbelief
- Accept what is being said without judgement
- Take it seriously

Reassure:

- Reassure the student, but only so far as is honest and reliable
- Don't make promises that you can't be sure to keep, e.g. "I'll stay with you" or "everything will be all right now"
- Don't promise confidentiality – you have a duty to report your concerns.
- Tell the student that you will need to tell some people, but only those whose job it is to protect people
- Acknowledge how difficult it must have been to talk
- Never agree to keep secrets – be honest
- Reassure he or she is right to talk about any worries they may have

Respond

- Listen quietly, carefully and patiently
- Do not investigate, interrogate or decide if the student is telling the truth
- Don't ask leading questions, e.g. "What did he do next?" This assumes he did something next and you don't know that.
- Ask open questions like "Is there anything else that you want to tell me?"
- Do not criticise the alleged abuser; the student may love him/her and criticism may affect any disclosure made
- Do not ask the student to repeat what they have told you to another member of staff. Explain what you have to do next and whom you have to talk to

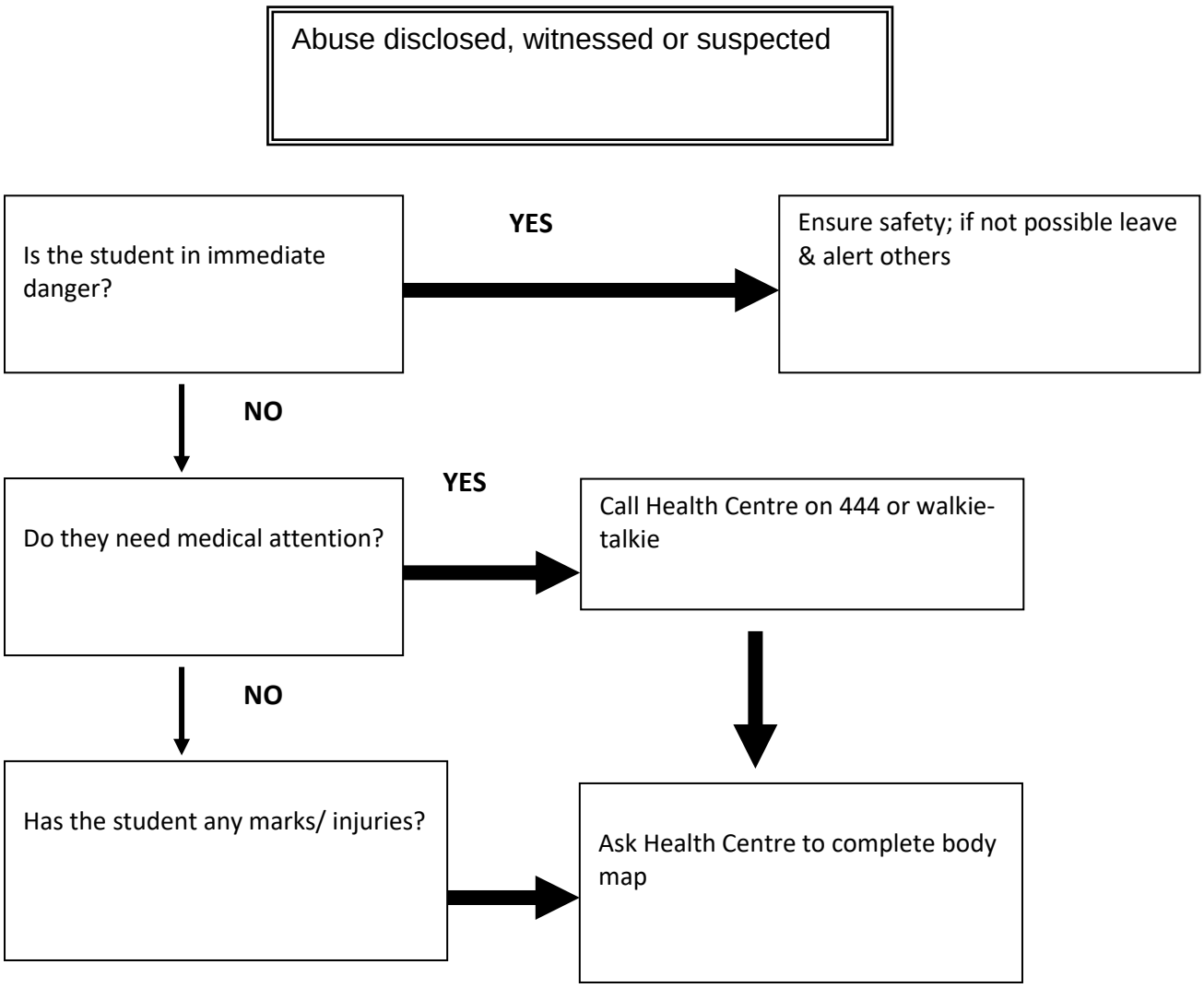
Record:

- Write up notes of your conversation as soon as possible
- Record the date, time, place, words used by the child and how the child appeared to you – be specific. Record the actual words used, including any swear words or slang, or student words or signs for actions or body parts.
- If any bruises or other injuries are present ask the Health Centre to record these on a body map on Caresys
- Distinguish between fact and opinion. Opinions based on your experience and knowledge are important, but you must give evidence about why you hold an opinion
- Do not assume anything – don't speculate or jump to conclusions

Report

- Speak to your manager or phone the Safeguarding Phone
- Don't rely on email or any other text-based communication
- Email to the Head of Safeguarding a record of your concern

Safeguarding Students



If safeguarding issue suspected, always contact the Head of Safeguarding or a manager as soon as possible

<u>Appendix 2</u> Managers safeguarding guidelines for when harm is suspected disclosed or witnessed

These guidelines are written in conjunction with Hampshire child protection and adult safeguarding procedures, and are consistent with them. Nothing in this document overrules those procedures.

Initial response

- Ensure the safety of the individual and if in immediate danger, contact the relevant emergency services e.g. Police, Ambulance, GP as appropriate
- Support and reassure the student, and staff reporting the incident ensuring that staff record what is said and/or observed but avoid asking leading questions
- Ensure staff recorded the incident
- Inform the Head of Safeguarding or SMT member in **person or by phone**. The whereabouts of the Head of Safeguarding are held with the Principal's Office. Follow up in writing the same day.
- If the Head of Safeguarding is not available a message can be left, but must be followed up in no response is received in an hour... If the Head of Safeguarding is still unavailable, another member of SMT must be contacted.
- Do not rely on email or any other written communication when making a safeguarding referral.
- Managers must use their discretion and contact another manager if the matter is urgent.
- Ensure in conjunction with Head of Safeguarding a plan to ensure the safety of students
- Ensure all discussions and decisions are recorded
- If a criminal offence may have been committed, make sure evidence is preserved.

Notification

- Liaise with the local authority (including safeguarding referral) if agreed with the Head of Safeguarding. See appendix 7for guidance.
- Inform parents as appropriate.
- Notify CQC and others as agreed with Head of Safeguarding

NB if Head of Safeguarding is not available the on call SMT manager or any other SMT member should be contacted

Out of hours

See appendix 6 of the safeguarding policy.

Allegations against staff

Refer to appendix 8

On call Safeguarding Manager guidelines

See appendix 7

Appendix 3 - Types of abuse (4LSCB Guidance, 2019):

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 (e.g. via the internet). They may be abused by an adult or adults or another child or children.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces illness in a child;

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent effects on the child's emotional development, and may involve:

- Conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person;
- Imposing age or developmentally inappropriate expectations on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction;
- Seeing or hearing the ill-treatment of another e.g. where there is domestic violence and abuse;
- Serious bullying, causing children frequently to feel frightened or in danger;
- Exploiting and corrupting children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

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

Sexual abuse includes non-contact activities, such as involving children in looking at, including online and with mobile phones, or in the production of, pornographic materials, watching sexual activities or 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.

In addition; Sexual abuse includes abuse of children through sexual exploitation. Penetrative sex where one of the partners is under the age of 16 is illegal, although prosecution of similar age, consenting partners is not usual. However, where a child is under the age of 13 it is classified as rape under s5 **Sexual Offences Act 2003**.

Neglect

Neglect is 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 misuse, maternal mental ill health or learning difficulties or a cluster of such issues. Where there is domestic abuse and violence towards a carer, the needs of the child may be neglected.

Once a child is born, neglect may involve a parent failing to:

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

It may also include neglect of, or unresponsiveness to, a child's basic emotional, social and educational needs.

These definitions are used when determining significant harm and children can be affected by combinations of maltreatment and abuse, which can be impacted on by for example domestic violence and abuse in the household or a cluster of problems faced by the adults.

In addition, research analysing Serious Case Reviews has demonstrated a significant prevalence of domestic abuse in the history of families with children who are subject of Child Protection Plans. Children can be affected by seeing, hearing and living with domestic violence and abuse as well as being caught up in any incidents directly, whether to protect someone or as a target. It should also be noted that the age group of 16 and 17 year olds have been found in recent studies to be increasingly affected by domestic violence in their peer relationships.

It should therefore be considered in responding to concerns that the Home Office definition of domestic violence and abuse (2013) is as follows:

"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence and abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender and sexuality.

This can encompass, but is not limited to, the following types of abuse:

- Psychological;
- Physical;
- Sexual;
- Financial;
- Emotional.

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim."

Financial or material abuse
This includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions. Financial abuse may involved the misuse or misappropriation of property, possessions or benefits and large scale fraud, but it also includes when a carer or member of staff uses the student's money for their own end such as purchases of drinks when on an external activity.

Discriminatory abuse
Discriminatory abuse includes racist, sexist comments and those based on a person's disability. It can also involve forms of harassment, slurs or similar treatment.

For further information about definitions of abuse please refer to HSCB **Child protection procedures** and HASB **Adult safeguarding procedures**

Additional types of harm and risk

Domestic abuse
This involves 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 abuse can encompass all the types of abuse noted above.
Domestic abuse - Government guidance

Children missing from education
Children who do not attend school and are not educated otherwise will be disadvantaged. This is also an indicator that they may be being abused or neglected including sexual exploitation, travelling to conflict zones, FGM and forced marriage. If a child or young person has not attended school for unknown reasons for three days the Head of Safeguarding must be informed.

Modern slavery and trafficking
This encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
Child tracking legislation - NSPCC
Human trafficking - Government guidance

Fabricated or inducted illness (FII)
Fabricated or induced illness (FII) occurs when a parent or carer, usually the biological mother, exaggerates or deliberately causes symptoms of illness in the child. FII was previously known as Munchausen's syndrome by proxy. The parent may not be deliberately exaggerating and truly believe that their child is unwell, but this can result in them going through lengthy invasive and potentially harmful medical examinations and unnecessary treatment.
The problem is not always caused by proxy. Adults and young people may cause harm or seek unnecessary intervention to themselves without the assistance of a third party.

Although primarily a form of abuse suffered by children, adults with care and support needs can also be at risk.

Where there is a concern regarding Fabricated or Induced Illness the relevant Local Authority should be contacted without delay and guidance be sought as to how to manage this via a strategy discussion given the heightened risk this can produce if a perpetrator were to be immediately challenged without safeguards being in place.
FII - Government guidance

Organisational abuse
This includes including neglect and poor care practice within an institution or specific care setting such as a hospital, care home, school or college. This may range from one off incidents to continuing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Esafety
Children are regularly taught about how to stay safe when using the Internet and are encouraged to recognise that people are not always who they say they are online. They are taught to seek adult help if they are upset or concerned about anything they read or see on the Internet. The Esafety policy describes this in more detail.

Self neglect
This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Mental health and self-harm
Many young people experience mental health problems and these can often mean that they become unsafe. Most people with mental health problems do not self harm, but a number do.Self-harm is when somebody intentionally damages or injures their body. It is a way of coping with or expressing overwhelming emotional distress. Sometimes when people self-harm they intend to die, but often the intention is to punish themselves, express their distress or relieve unbearable tension. Self-harm can be a cry for help
Self harm - NHS guidance.
Mental health guide for schools

Sexual exploitation
Sexual exploitation of children and young people involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet / mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability
Multiple forms of abuse may occur in a continuing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all of these types of abuse may be perpetrated as the result or deliberate intent and targeting of vulnerable people, or through negligence or ignorance.
Sexual exploitation - Government guidance

Female Genital Mutilation
Female Genital Mutilation (FGM) is any procedure designed to alter or injure a girl's (or woman's) genital organs for non-medical reasons. It's sometimes known as 'female circumcision' or 'female genital cutting'. It's mostly carried out on young girls.
FGM procedures can cause:

- severe bleeding
- infections
- problems with giving birth later in life - including the death of the baby

From October 2015 we have a duty to report to the police when we discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. If any member of staff is concerned they must refer to the Head of Safeguarding or deputy who will immediately contact the police.
FGM - Government guidance

Forced marriage
People have the right to choose who they marry, when they marry or if they marry at all.

Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if they're made to feel like they're bringing shame on their family)
Forced marriage - Government guidance

Prevention of terrorism & radicalisation
Treloar's has a duty of care to its students and staff. This includes safeguarding them from the risk of being drawn into terrorism. Being drawn into terrorism includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit. Treloar's is a safe space in which students can understand and discuss sensitive topics, including terrorism (regardless of source or idealogy) and the extremist ideas that are part of the terrorist ideology and learn how to challenge these ideas.

Although serious incidents involving radicalisation are rare it is important to be vigilant and remain informed, especially considering how vulnerable some of our students may be to external influences. Any concerns should be reported to the Head of Safeguarding.
Prevent duty - Government guidance
Educate against hate

Peer on peer abuse
Staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender based violence/sexual assaults and sexting.

Please see "Managing allegations against pupils" policy for further information on how to identify, address and respond to this.
Sexting

Non-Recent (Historical) Abuse

Non-recent abuse (also known as historical abuse) is an allegation of neglect, physical, sexual or emotional abuse made by or on behalf of someone who is now 18 years or over, relating to an incident which took place when the alleged victim was under 18 years old.

Allegations of child abuse are sometimes made by adults and children many years after the abuse has occurred. There are many reasons for an allegation not being made at the time including fear of reprisals, the degree of control exercised by the abuser, shame or fear that the allegation may not be believed. The person becoming aware that the abuser is being investigated for a similar matter or their suspicions that the abuse is continuing against other children may trigger the allegation.

Reports of historical allegations may be complex as the alleged victims may no longer be living in the situations where the incidents occurred or where the alleged perpetrators are also no longer linked to the setting or employment role. Such cases should be responded to in the same way as any other concerns and the **Referral Procedure** should be followed. It is important to ascertain as a matter of urgency if the alleged perpetrator is still working with, or caring for, children.

Organisational responses to allegations by an adult of abuse experienced as a child must be of as high a standard as a response to current abuse because:

- There is a significant likelihood that a person who abused a child/ren in the past will have continued and may still be doing so;
- Criminal prosecutions can still take place despite the fact that the allegations are historical in nature and may have taken place many years ago.

If it comes to light that the historical abuse is part of a wider setting of institutional or organised abuse, the case will be dealt with according to the **Organised and Complex Abuse Procedure**.

Other factors

The following are links to other advice and guidance that impinge upon safeguarding
Children who run away

Bullying (see also separate policy)

Drugs

Faith-linked abuse

Youth violence and gangs

Relationship abuse

Private fostering

Appendix 4 – Sexual Behaviour in children and young people

Please also see SMT048 Managing Allegations Against Pupils if concerned about students posing a risk of sexual harm to others

Brook sexual behaviours traffic light tool

Behaviours: age 0 to 5

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability. They are reflective of natural curiosity, experimentation, consensual activities and positive choices

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

Green behaviours

- holding or playing with own genitals
- attempting to touch or curiosity about other children's genitals
- attempting to touch or curiosity about breasts, bottoms or genitals of adults
- games e.g. mummies and daddies,
- doctors and nurses
- enjoying nakedness
- interest in body parts and what they do
- curiosity about the differences between boys and girls

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

Amber behaviours

- preoccupation with adult sexual
- behaviour
- pulling other children's pants down/skirts up/trousers down against their will
- talking about sex using adult slang
- preoccupation with touching the genitals of other people
- following others into toilets or changing rooms to look at them or touch them
- talking about sexual activities seen on TV/online

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental, or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours

- persistently touching the genitals of other children
- persistent attempts to touch the genitals of adults
- simulation of sexual activity in play
- sexual behaviour between young children involving penetration with objects
- forcing other children to engage in sexual play

This is intended to be used as a guide only. Please refer to the guidance tool at https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool for further information

Print date: 01/10/2015 - Brook has taken every care to ensure that the information contained in this publication is accurate and up-to-date at the time of being published. As information and knowledge is constantly changing, readers are strongly advised to use this information for up to one month from print date. Brook accepts no responsibility for difficulties that may arise as a result of an individual acting on the advice and recommendations it contains.
Brook sexual behaviours traffic light tool adapted from Family Planning Queensland. (2012). Traffic Lights guide to sexual behaviours. Brisbane: Family Planning Queensland, Australia.

Behaviours: age 5 to 9 and 9 to 13

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

Green behaviours 5-9

- feeling and touching own genitals
- curiosity about other children's genitals
- curiosity about sex and relationships, e.g. differences between boys and girls, how sex happens, where babies come from, same-sex relationships
- sense of privacy about bodies
- telling stories or asking questions using swear and slang words for parts of the body

Green behaviours 9-13

- solitary masturbation
- use of sexual language including swear and slang words
- having girl/boyfriends who are of the same, opposite or any gender
- interest in popular culture, e.g. fashion, music, media, online games, chatting online
- need for privacy
- consensual kissing, hugging, holding hands with peers

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

Amber behaviours 5-9

- questions about sexual activity which persist or are repeated frequently, despite an answer having been given
- sexual bullying face to face or through texts or online messaging
- engaging in mutual masturbation
- persistent sexual images and ideas in talk, play and art
- use of adult slang language to discuss sex

Amber behaviours 9-13

- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- verbal, physical or cyber/virtual sexual bullying involving sexual aggression
- LGBT (lesbian, gay, bisexual, transgender) targeted bullying
- exhibitionism, e.g. flashing or mooning
- giving out contact details online
- viewing pornographic material
- worrying about being pregnant or having STIs

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental, or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours 5-9

- frequent masturbation in front of others
- sexual behaviour engaging significantly younger or less able children
- forcing other children to take part in
- sexual activities
- simulation of oral or penetrative sex
- sourcing pornographic material online

Red behaviours 9-13

- exposing genitals or masturbating in public
- distributing naked or sexually provocative images of self or others
- sexually explicit talk with younger
- children
- sexual harassment
- arranging to meet with an online acquaintance in secret
- genital injury to self or others
- forcing other children of same age, younger or less able to take part in sexual activities
- sexual activity e.g. oral sex or intercourse
- presence of sexually transmitted infection (STI)
- evidence of pregnancy

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Behaviours: age 13 to 17

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

Green behaviours

- solitary masturbation
- sexually explicit conversations with peers
- obscenities and jokes within the current cultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexual relationships
- sexual activity including hugging, kissing, holding hands
- consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability
- choosing not to be sexually active

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

Amber behaviours

- accessing exploitative or violent pornography
- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress,
- withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- concern about body image
- taking and sending naked or sexually provocative images of self or others
- single occurrence of peeping, exposing, mooning or obscene gestures
- giving out contact details online
- joining adult- only social networking sites and giving false personal information
- arranging a face to face meeting with an online contact alone

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental, or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours

- exposing genitals or masturbating in public
- preoccupation with sex, which interferes with daily function
- sexual degradation/humiliation of self or others
- attempting/forcing others to expose genitals
- sexually aggressive/exploitative behaviour
- sexually explicit talk with younger children
- sexual harassment
- non-consensual sexual activity
- use of/acceptance of power and control in sexual relationships
- genital injury to self or others
- sexual contact with others where there
- is a big difference in age or ability
- sexual activity with someone in authority and in a position of trust
- sexual activity with family members
- involvement in sexual exploitation and/or trafficking
- sexual contact with animals
- receipt of gifts or money in exchange for sex

This is intended to be used as a guide only. Please refer to the guidance tool at https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool for further information

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Sexual Violence and Sexual Harassment between Children Risk and Needs Assessment Template

(This template is offered as a framework and should be seen as a starting point for development to fit your school's individual context. Each reported incident should be managed on a case-by-case basis)

EXAMPLE assessment

Brook Traffic Light Assessment	What are the risks? Who might be harmed & how?	Action	Action by Who?	Action by when?	Action status or Date Completed & Outcome including further actions
Red Behaviour: Forcing other children to engage in sexual activity. Subject is a male child. A female child has been taken into the boys' toilets. Subject has exposed himself, grabbed the girl by the wrist and forced her to touch his genitals. Subject is under the age of criminal responsibility. Subject has no known CP history There have been no previous concerns about the Subject.	All pupils in the class may be forced or coerced into sexual activity. Early indication is that female pupils may be more at risk.	Key members of staff with supervisory responsibility have been briefed by the DSL and will increase monitoring at break times. Subject will be escorted to the toilet.	DSL Staff AB, CD & EF ELSA	From Immediate effect	✓01/02/2019. Increased monitoring & toilet supervision in place
	Other children within the community	Subject's parents Informed re: Incident & behaviour and the risk plan put in place. Made aware of referral to CSD. Agreement for • Referral to CAMHS • Increased monitoring & toilet. supervisor • Keep safe work.	DSL	01/02/19	✓01/02/19 Contract of agreement has been signed by the parents to include increased. monitoring, toilet supervision and keep safe work.
		Referral to Children's social care	DSL	01/02/19	✓01/02/19 Children & Family Assessment to be completed by CAST
		Victim's parents informed, and child's views gained. Child offered keep safe work.	DSL	01/02/19	✓Parents are satisfied with the school's actions & safeguarding measures so far. Child & family want child to remain in the same class. Keep safe work accepted.
		Referral to CAMHS	DSL	02/02/19	Referral made. ACTION – follow up with CAMHS as to the status of referral after 10 working days if not heard before
		Safeguarding measures to be reviewed.	DSL & key Staff	09/02/19	No additional concerns raised. ACTION - Review plan again in

Brook Traffic Light Assessment	What are the risks? Who might be harmed & how?	Action	Action by Who?	Action by when?	Action status or Date Completed & Outcome including further actions
			members		one week's time
		Keep safe work to be completed. Combination of whole class and targeted work to be carried out	ELSA	23/02/2019	OUTSTANDING Work planned and due to be delivered w/c 16/02
	Community Impact Assessment LOW The parents of the Subject and the victim are satisfied that the school is taking all necessary safeguarding measures to manage the risk. There are no indications at this stage for community unrest. This will be kept under review.	DSL and SLT to be aware of any community noises about the incidents.	DSL and SLT	05/04/2019	
	Media Media and communication team to be informed if community impact assessment risk increases	SLT to contact HCC communication team if required. Monitor during term	SLT	05/04/2019	
	Information Sharing. All information sharing has been completed in line with the school's CP and GDPR policies.	Relevant information to be recorded on each child's CP file as required.			
	Social Media There are no currents risks from community use of social media. This will be kept under review.	Monitoring of social media during the term	Key staff	05/04/2019	

Brook Traffic Light Assessment	What are the risks? Who might be harmed & how?	Action	Action by Who?	Action by when?	Action status or Date Completed & Outcome including further actions
Red Behaviour:					
Red Behaviour:					
Amber Behaviour:					

Appendix 5 – Out of hours staff guide

Out of Hours Safeguarding

Staff Guide

Worried about a student?

Discuss with shift leader

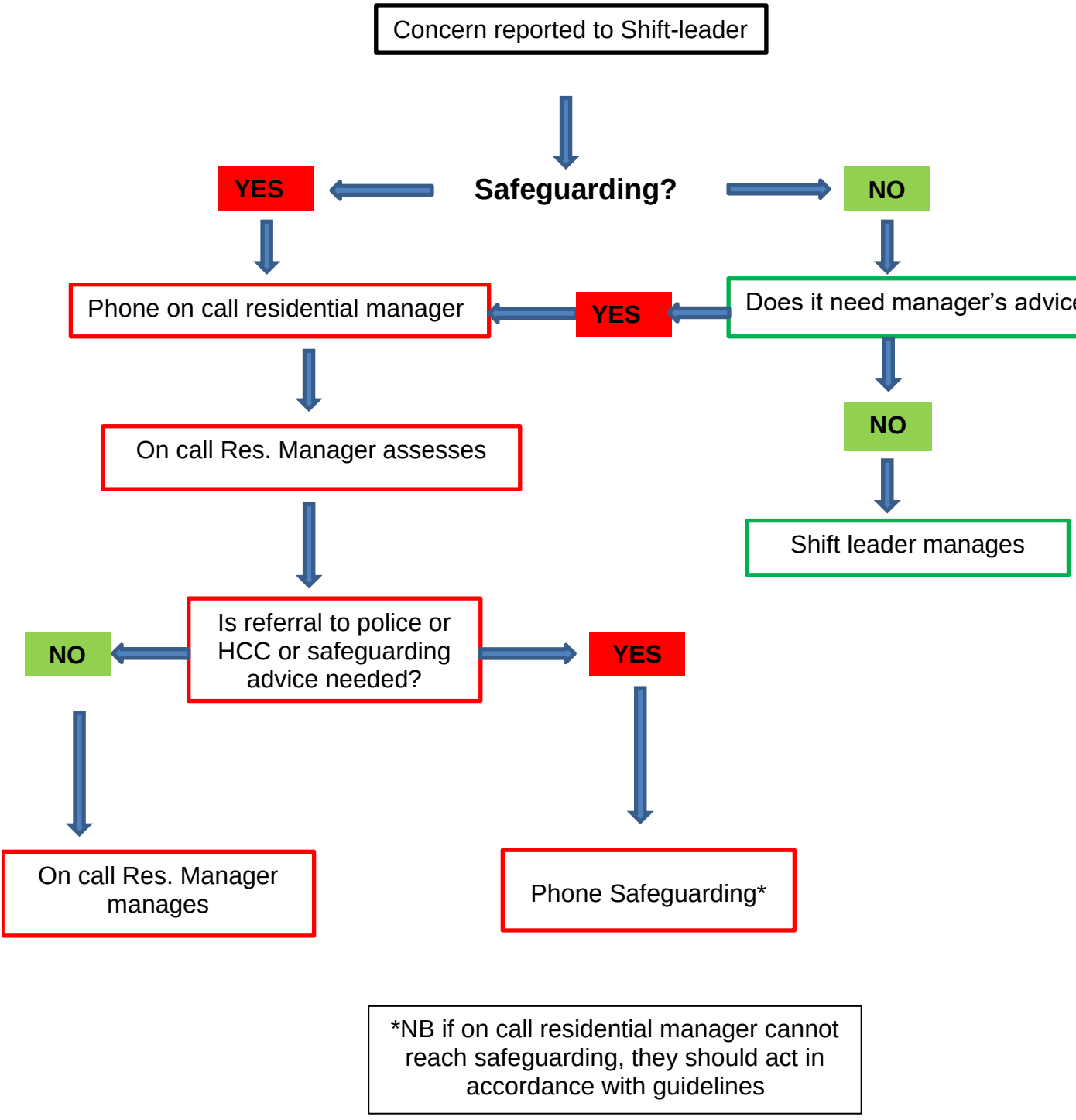
If you cannot find shift leader or are still worried

Phone on call Res. Manager

If still worried - phone safeguarding 07825 262418

Appendix 6 - Out of hours manager guide

Out of Hours Safeguarding Managers' Guide



*NB if on call residential manager cannot reach safeguarding, they should act in accordance with guidelines

Safeguarding on-call rota
Guidelines for Safeguarding Manager

These guidelines are for the on-call safeguarding manager when they are contacted by staff. The guidelines are not prescriptive and are not a substitute for professional judgement at the time, e.g., several minor assaults may require referral. *If in doubt it is best to refer.* Referral means contacting the relevant agency to report the incident or concern.

Role of on-call safeguarding manager

- To instruct staff on actions to take to safeguard students.
- To ensure correct processes are followed when a safeguarding incident arises
- To contact external agencies, e.g. local authorities, police, when necessary or ensure it is done

Classification

Safeguarding cases are divided into Internal and External concerns. There are different referral points depending on whether the student is a child (i.e. under 18) or and adult. N.B. It is not relevant whether it is school or college for safeguarding purpose; the age is the important factor. It will be relevant for CQC notification.

Internal Harm

- Harm or probable harm that originates at Treloar's or when Treloar's has a duty of care
- Harm or probable harm caused (or not reasonably prevented) by a Treloar's employee, governor or volunteer or anyone commissioned by Treloar's e.g. on work experience
- Cumulative concerns, but these should never be allowed to reach a level that suggest an external safeguarding referral is necessary.
- The types of concern are the same as for external matters, but are most likely to have involved poor care or neglect such as:
  - Medication errors leading to harm
  - Care practice leading to harm e.g. wheelchair accident where YPP not followed

External Harm

- Harm or probable harm that originates outside Treloar's

or

- Cumulative concerns of harm from outside Treloar's*

This will usually be a concern about the student's family and can be any sort of deliberate or negligent harm e.g.

- Physical abuse
- Neglect
- Emotional abuse
- Poor care – e.g. pressure sores
- Financial abuse – e.g. brother has stolen money or parent controls bank account
- Discriminatory abuse
- Sexual abuse, including exploitation, internet based abuse or exploitation

**if the harm is alleged to be caused at*

Internal Response

Internal cases can involve harm caused by other students or by staff

Other students

Refer if:

- Alleged sexual assault
- Serious physical assault that requires more than first aid
- Physical assault between unequal parties where harm is caused
- Serious self-harm or suicide attempt or threat

No need to refer:

- Physical assault between equals that results in minor harm –but consider contacting parents, social worker and funder may need contacting on next working day
- Bullying. We should consider referring for serious and persistent bullying. This will usually wait until the next working day if there are no injuries
- Mental health. Not reportable as safeguarding, unless we are negligent, but notify social worker and family with consent (or after MCA assessment) during office hours. Treat as health matter.

Staff

Abuse – Refer if:

- An allegation that worker has harmed a student
- An allegation worker has acted in a way that suggests they may be unsuitable to work with children or adult with care and support needss
- Any sexual or otherwise inappropriate activity with a student

Medication - Refer if:

- Error has caused harm or is likely to have caused harm (Harm is **any** adverse effect)
- There is evidence of serious systemic failure
- Consider also if there is a complaint about an error

Care - Refer if:

- Student has been harmed by an error or harm is likely
- Dignity has been seriously impaired by error
- An invasive procedure in error, e.g., enema

To whom to refer

Adults

- Hants Adult Services and named social worker
- Police if criminal offence has been alleged
- Funding authority – Social worker if there is one, and education link
- If in doubt phone Adult Services

Children

- Hants Children's Services and named social worker
- Police if criminal offence has been alleged
- Allegation against staff where danger is not immediate, phone LADO and follow advice
- If in doubt, phone Children's Services

External Response

- If a social worker is named, phone them, Chase if no response
- If no social worker is named phone the home authority duty social worker or out of hours social worker
- Duty social worker is different for children and adults.
- All web sites will have a number to phone for day and out of hours services
- **You do not need to phone Hants unless you get a poor response. They will often help**

- **Examples of external cases**
- Students parent says that sister hits student – refer immediately
- Student returns with sores – refer immediately
- Respite unit spots bruises – refer immediately
- Student says parent is controlling bank account – wait until next working day unless clear allegation of criminal offence

Referral

When: Same day – after hours even if no action likely

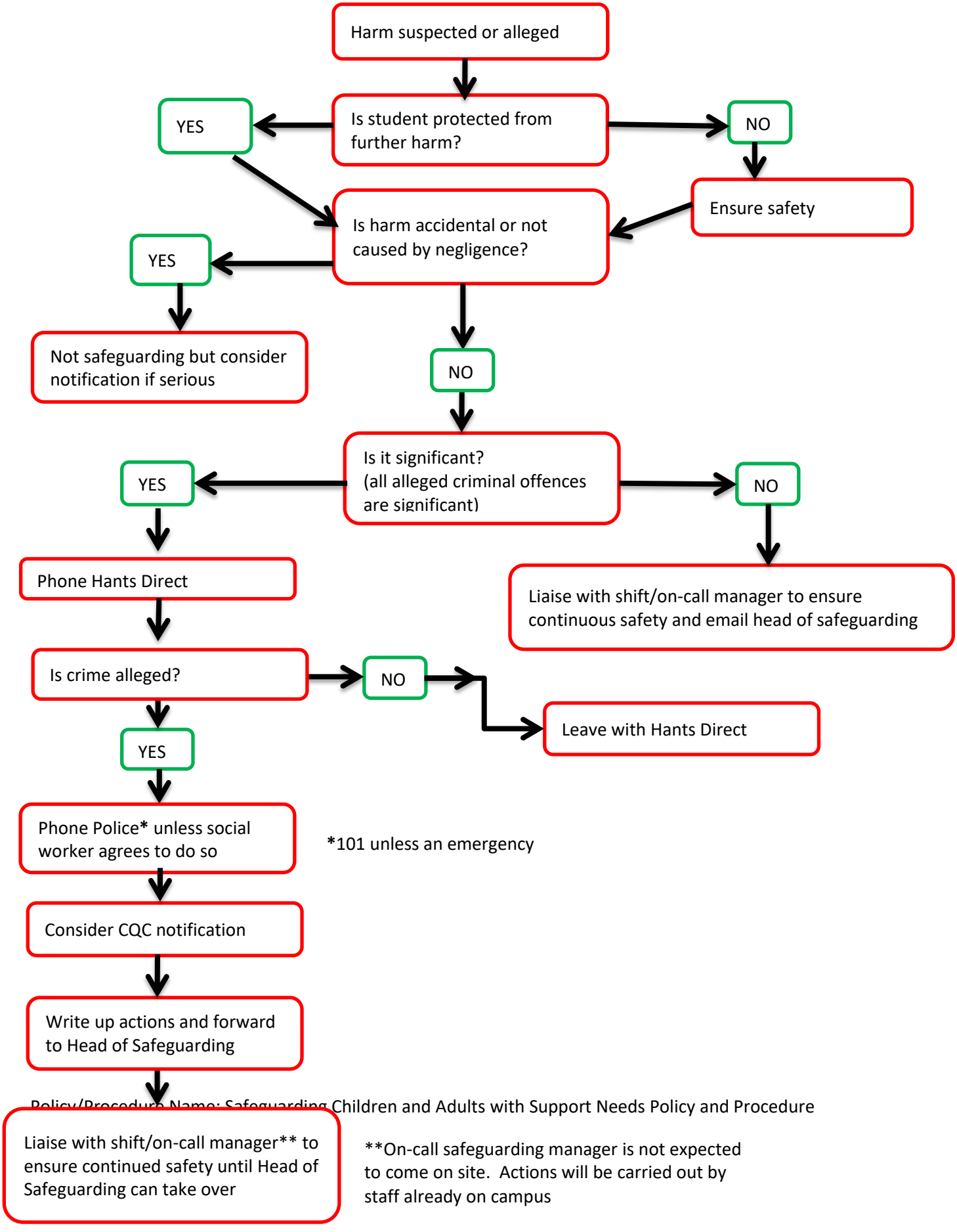
How: By phone, follow it up in writing. Email is OK, but must be in password protected document if unsecured.

What: Details of incident, details of students, and **what we have done to make the situation safe.**

Hants County Council phone numbers office hours (8.30am – 5:00pm) –

- Hampshire Children's Services: 0300 555 1384 (24 hours)
  Children's advice line (if not sure it's a referral) **01329225379:**
- LADO (concerns about staff or volunteer): **01962 876364**
- Adult Services referrals: **0300 555 1386**
- Adults Advice line (if not sure that it's a referral): **01962 847214**

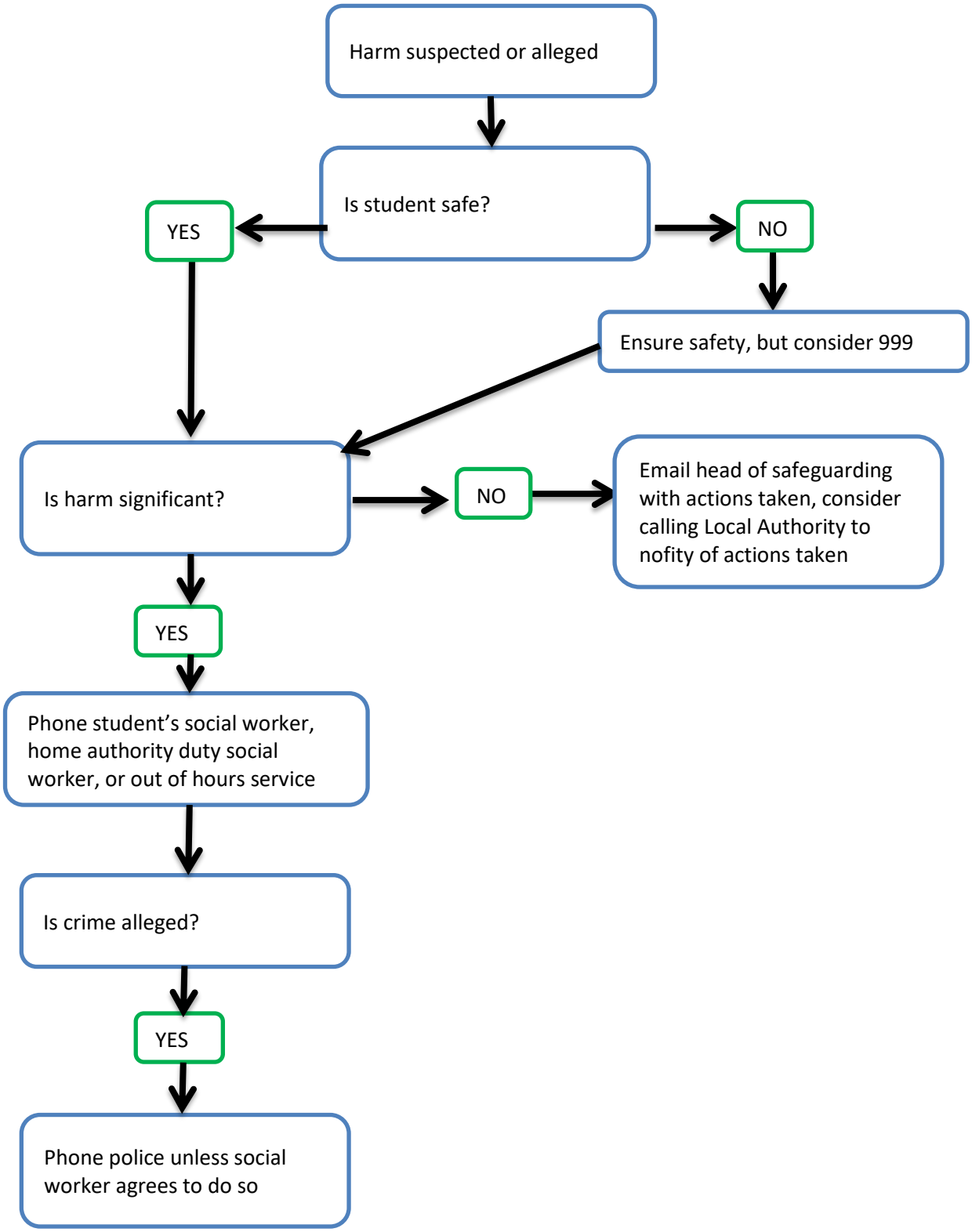
INTERNAL



*101 unless an emergency

**On-call safeguarding manager is not expected to come on site. Actions will be carried out by staff already on campus

EXTERNAL


Harm suspected or alleged
Is student safe?
YES
NO
Ensure safety, but consider 999
Is harm significant?
NO
Email head of safeguarding with actions taken, consider calling Local Authority to nofity of actions taken
YES
Phone student's social worker, home authority duty social worker, or out of hours service
Is crime alleged?
YES
Phone police unless social worker agrees to do so

Appendix 8 - Allegations against staff procedure

Working Together to Safeguard Children (2018) states that organisations should have clear policies in line with those from the LSCB for dealing with allegations against people who work with children. Those policies should make a clear distinction between an allegation, a complaint or a concern about the quality of care or practice.

Allegations as defined by KCSiE should be reported to the LADO. Complaints or concerns can be managed independently by the school or college under internal procedures.

Keeping Children Safe in Education defines an **allegation** as being where someone states or believes that an employee or volunteer has:

- behaved in a way that has **harmed a student**, or **may have harmed a student**;
- possibly **committed a criminal offence** against or related to a student; or
- behaved towards a student in a way that indicates he or she would pose **a risk of harm** if they work regularly or closely with children or adult with care and support needs.

Complaints could include:-

Breaches of the Code of Conduct
Failure to follow policy, procedure or guidance
Any breach of data protection or confidentiality
Poor behaviour management
Inappropriate use of social media
Misadministration of medication

Concerns could include:-

Inappropriate use of language, shouting or swearing
Discussing personal or sexual relationships with, or in the presence, of pupils
Making (or encouraging others to make) unprofessional comments which scapegoat, demean or humiliate children, or might be interpreted as such.

- . Concerns and complaints should be addressed in line with Treloar's Complaints and Disciplinary procedures

In dealing with **allegations** relating to the conduct of someone working, or volunteering at Treloar:

- First, ensure that students are safe from harm, or risk of harm

- Report any concerns about the conduct of any member of staff or volunteer to the Head of Safeguarding (07825 262 418) as soon as possible.

- If an allegation is made against the Head of Safeguarding, the concerns need to be raised with Principal as soon as possible.

- If an allegation is made against the Principal, the concerns need to be raised with Head of Safeguarding or Safeguarding Governor as soon as possible

- Once an allegation has been received by the Head of Safeguarding, Principal or Safeguarding Governor they will:

    - Contact the Local Authority Designated Officer - 01962 876364 (if a child) or
    - Hants Direct Adult referral line - 0300 555 1386 (if an adult).
    - If a criminal offence is alleged the police should also be contacted (101 for non emergencies) unless the local authority agree that they will do so.

- In liaison with the LADO, Treloar's will determine how to proceed and if necessary the LADO will refer the matter to Children's Social Care and/or the police.

- Managers must always liaise with HR whenever and allegation is received against a member of staff that may result in disciplinary action, in line with procedures set out in Chapter 4 of KCSiE.

- The student and/or parents should be informed of the allegation unless there is a good reason not to do so.

Further guidance is contained in Keeping Children Safe in Education (2019) and the HSCP procedures (for children) or Care Act Guidance (2014) and HSAB procedures (for adults).

Appendix 9 - Safeguarding investigation procedure

Introduction
Safeguarding students from abuse and neglect is fundamental to all work at Treloar's. While most care is carried out in a professional way there will be occasions when students are harmed through the actions of a member of Treloar's staff[2] student or visitor; the harm may or may not have been caused intentionally. There will also be incidents where no harm has ensued, but the actions or omissions of staff members made harm a much greater possibility. In these cases the Head of Safeguarding or delegate will investigate.

Key responsibilities
The scale and nature of the investigation will depend on the circumstances of incident. The majority of incidents involving staff will be dealt with informally. The need for a formal investigation will be determined by the Principal or Head of Safeguarding. HR must always be consulted when there is a possibility of disciplinary proceedings under the Disciplinary Policy HR-06 and Disciplinary Procedure HR 06/PR 01.

Information gathering
Before an investigation is commissioned the Head of Safeguarding will gather sufficient information to determine whether it is necessary. An investigation may be carried out owing to the seriousness of the allegation or because it is requested by an interested party, such as a student, a parent or a funder.

Purpose of investigation
The purpose of the investigation is to establish what happened, why and if there are any lessons to be learned. The investigation is not part of disciplinary processes and its function is not to establish blame. The investigation looks into incidents not individuals. However, the information gathered can be used by managers to consider action under other processes as necessary. If the investigation suggests that the practice of a member of staff may put students or others at risk, the investigator will immediately inform the manager.

Formal investigations
Investigations will vary according to circumstance. In some cases the investigation will stem from a complaint, in others from an internal notification. In some cases the facts will be clear, in others not. The Head of Safeguarding will determine in consultation with colleagues and other interested parties the scope, timescale and methodology of the investigation.

Timescales
If an allegation is made against a member of staff the quick resolution of that allegation should be a clear priority to the benefit of all concerned.

In response to an allegation staff suspension should not be the default option. An individual should only be suspended if there is no reasonable alternative. If suspension is deemed appropriate, the reasons and the justification should be recorded and the individual notified of the reasons.

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair a thorough investigation. All allegations must be investigated as a priority so as to avoid any delay. The time taken to

[22] For the purpose of this procedure, staff should be understood to refer to all employed staff, bank staff, volunteers, governors, trustees, agency staff, consultants and contractors

investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

Any findings that require urgent attention must be communicated to the relevant manager immediately and not wait until the investigation has been completed.

For cases where it is clear immediately that the allegation is unfounded or malicious then it is expected that they should be resolved within one week. If the investigation finds that the nature of the allegation does not require formal disciplinary action, appropriate action should take place within 3 days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

Scope
These guidelines refer to safeguarding incidents where it is alleged that harm has been caused (or where it is likely harm would have ensued if action not been taken) by fellow students, staff, governors, trustees, contractors, volunteers and visitors. It applies to acts of commission or omission.

Exclusions
Safeguarding incidents that occur when Treloar's does not have a duty of care, e.g., if they occur when within the family or when away from Treloar's in the care of others.

Links to other policies and guidance
In some cases different investigations will be necessary. It is essential that any safeguarding investigation takes place in liaison with line managers, HR, and external bodies. A safeguarding investigation must not compromise disciplinary investigations, but can be carried out in parallel. The Head of Safeguarding is responsible for ensuring coordination whilst ensuring students' safety.

No formal internal investigations will be carried out if the matter requires reporting to Hampshire County Council as a safeguarding matter until there is agreement with them as to how any investigation will be conducted

Appendix 10 - Safeguarding case review procedure

Introduction
When a serious incident occurs relating to a student it is important for all to carry out a review to determine whether there are lessons to be learned and whether there are any improvements to be made to Treloar's procedures or practice to help prevent similar events in the future.

A case review is not an investigation of the case (see SMT060) which will be completed separately. It is a review of policy, procedure and practice

Responsibilities

The Principal is responsible for commissioning the review and agreeing terms of reference.

The Head of Safeguarding will conduct the review unless otherwise agreed with the Principal;

TLT and SMT members are responsible for conducting the review on the instructions of the Principal as appropriate.

Criteria
A review must take place in the following circumstances

- When an allegation that a member of staff [3]has behaved in a way that:
    - has harmed a child or adult with care and support needs, or may have harmed a child or adult with care and support needs;
    - possibly committed a criminal offence against or related to a child or adult with care and support needs; or
    - behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children or adult with care and support needs is substantiated.
- Where an alert concerning an internal safeguarding matter results in a child protection or adult safeguarding conference.
- Any other case where the Principal considers useful lessons may be learned from a review.

Content
Each review will contain its own terms of reference agreed by the Principal which may include:

- Recruitment;
- Training;
- Supervision and performance;
- Recording;

[3] The phrase member of staff should be interpreted to mean, staff, volunteers, governors, trustees, contractors and any one else commissioned or facilitated to provide services to Treloar's students or tenants.

- Investigation;
- Procedures;
- Management;
- Operation systems.

This list is not exhaustive.

If a member of staff has been suspended the review should consider the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The Local Authority Designated Office (LADO) and manager conducting the review should consider how future investigations of a similar nature could be carried out without suspending the individual.

When the review follows a substantiated allegation involving a child or when the substantiated allegation suggests that a member of staff may pose a risk to children, the LADO must be consulted at the start of the review.

The report will include:

- Introduction;
- Terms of Reference;
- Methodology
- A brief narrative of events;
- Findings;
- Conclusions; and
- Recommendations.

Appendix 11 - Safeguarding and early years settings

Children in early years' settings (nurseries) can be particularly vulnerable. They have are less able to understand adult abusive behaviour, are unlikely to be able protect themselves and may not have the communication skills to tell someone they have been harmed. Disabled young children will be particularly vulnerable and staff need to be alert to physical signs as they cannot rely on verbal communication. While this applies to many older disabled people, those working with young children need to be particularly aware.

Staff must be alert to any issues of concern in the child's life at home or elsewhere.

A practitioner must be designated to take lead responsibility for safeguarding children in every setting. The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the LSCB. They must provide support, advice and guidance to any other staff on an continuing basis, and on any specific safeguarding issue as required. The lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect. **At Treloar's this role is undertaken by the Head of Safeguarding.**

Staff will be trained to understand safeguarding policy and procedures, so they have up to date knowledge of safeguarding issues. Training enables staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:

- significant changes in children's behaviour
- deterioration in children's general well-being
- unexplained bruising, marks or signs of possible abuse or neglect
- children's comments which give cause for concern
- any reasons to suspect neglect or abuse outside the setting, for example in the child's home or that a girl may have been subjected to (or is at risk of) female genital mutilation13 and/or
- inappropriate behaviour displayed by other members of staff, or any other person working with the children, for example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

Appendix 12 - Whistleblowing in a Safeguarding Context

While the Treloar's has a separate whistleblowing policy, this is a summary sheet that outlines the process when there is a concern that safeguarding issues have not been reported or followed correctly.

This does not replace the whistleblowing policy and should be read in conjunction with the Treloar's policy.

Whistleblowing is a term that is used when staff want to report a concern within their organisation that involves their manager or a person senior to them in the organisation which may prevent them from following the normal reporting systems.

There are a limited number of areas that can be called Whistleblowing, and the policy protects staff from being punished for raising concerns.

Within Treloar's, the Principal is the senior manager and responsible for all staff.

If you are concerned that any member of staff within the Treloar's is not following safeguarding processes or behaving in a way that is placing children at risk, you should in the first place make the Head of Safeguarding aware, who will notify the Principal.

If your concern is about the Principal, you should raise this with the Chief Executive, who will notify the governors.

If your concern is about the Head of Safeguarding, you should raise this with the Principal.

If you would prefer to raise your concerns outside of the Treloar's, then you are able to contact the NSPCC whistleblowing line on 0800 028 0285 or email help@nspcc.org.uk for national organisations or make contact with Hampshire County Council on 0300 555 1384.

If you believe that a member of the Treloar's staff is harming a child (an allegation) and this has been reported to the headteacher and no / insufficient action has been taken, or the member of staff you have concerns about is the headteacher, then you are able to contact the LADOs on 01962 876364 or child.protection@hants.gov.uk

If you believe that a child is being abused by individuals outside the Treloar's, you are able to make a referral to Children's Social Care by calling 0300 555 1384 (office hours) or 0300 555 1373 (outside of office hours)