



Safeguarding and Child Protection Policy

EKC Schools Trust

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Introduction

- 1.1 The EKC Schools Trust (the Trust) provides governance and oversight to those academies which are part of the Trust namely: Thornden Wood Primary School, Bysing Wood Primary School, East Stour Primary School, Holywell Primary School, Palm Bay Primary School, Queenborough School and Nursery, The Churchill School and EKC Sheppey Secondary School.
- 1.2 This Policy and Managing Allegations Against Staff Procedure [Appendix 1] applies to each of the Academies listed above.
- 1.3 This document references the relevant local Safeguarding Partnership arrangements for Kent. Each Academy is required to act in line with the guidelines/procedures contained within the model policy for Kent.
- 1.4 This policy is available on the MAT website and also on the individual websites of the academies listed above. All staff and volunteers are required to read it and confirm that they have done so before commencing work within the Trust.
- 1.5 This policy should be read in conjunction with the EKC Schools Trust Health and Safety and Premises Policy.

2. Definitions

Safeguarding and promoting the welfare of children refers to the process of protecting children from maltreatment, inside or outside the home, including online, preventing the impairment of physical and mental health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes, providing help and support to meet the needs of children as soon as problems emerge. Safeguarding also encompasses issues such as child health and safety and bullying and a range of other issues, for example, arrangements for meeting the medical needs of children by providing first aid, Academy security, drugs and substance misuse and positive behaviour. There may also be other safeguarding issues that are specific to the local area or population.

A key part of the MAT's safeguarding policy is to ensure that radicalisation and extremism are identified and tackled, that children are taught about the dangers of radicalisation and extremism and that staff and children know how to recognise it and that the government's PREVENT strategy is actively engaged with.

- 2.1 **Child protection** refers to the processes undertaken to protect the children who have been identified as suffering, or being at risk of suffering significant harm.
- 2.2 **Staff** refers to all those working for or on behalf of the Trust, full time or part time, temporary or permanent, in either a paid or voluntary capacity, including Trust members and Trustees.

- 2.4 **Parents** refers to birth parents and other adults who are in a parenting role, for example step parents, foster carers and adoptive parents.
- 2.5 **Designated Safeguarding Lead (DSL)** means the person within the Academy with responsibility for the day-to-day application of the Safeguarding and Child Protection Policy.
- 2.6 **Safeguarding Governor** means the Governor in the Local Governing Board nominated to oversee relevant Academy safeguarding matters.
- 2.7 **Children's Social Care** means the team within the Local Authority which has a duty to safeguard and promote the welfare of children.
- 2.8 **Local Safeguarding Partnership** means the statutory organisation responsible for the co-ordination of the various agencies responsible for the welfare and well-being of children for example colleges, social services, police, voluntary organisations etc.

3. Related Policies and Documents

- 3.1 This Policy is one of a series in the Trusts integrated safeguarding portfolio including the Trust Policy on Complaints, Health & Safety, Data Protection, Staff Discipline Policy and the Whistleblowing Policy. Other policies related to safeguarding for each Academy include:
- Staff Code of Conduct
 - Anti-bullying Policy
 - Behaviour Policy
 - E-Safety Policy
- 3.2 The procedures contained in this Policy apply to all staff, volunteers, Trustees, Members and local Governors.

4. Relevant Legislation

- 4.1 Academies, free schools, independent schools, alternative providers of education - Section 157 of the Education Act 2002 and the Education (Independent Schools Standards) (England) Regulations 2014 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.
- 4.2 The Teacher Standards 2012 state that teachers, including Headteachers, must have regard for the need to safeguard children's wellbeing, in accordance with statutory provisions; and maintain public trust in the teaching profession as part of their professional duties.
- 4.3 The statutory guidance *Working Together to Safeguard Children (DfE2018)*
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covers the legislative requirements and expectations on individual services (including schools and colleges) to safeguard and promote the welfare of children. It also provides the framework for Kent Safeguarding Children Multi-Agency Partnership (KCSMP) to monitor the effectiveness of local services, including safeguarding arrangements in schools.

- 4.4 The statutory guidance *Keeping Children Safe in Education (DfE2018)* is issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) (England) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. Schools and colleges must have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children. Unless otherwise stated, 'school' in this guidance means all schools, whether maintained, non-maintained or independent, including academies and free schools, alternative provision academies and pupil referral units. **All staff must read Part One of the latest Keeping Children Safe in Education. Staff can find copies of this on their Academy website. In addition, all staff who work directly with children must read Annex B.**
- 4.5 Under the Counter-Terrorism and Security Act, from 2015 schools and other authorities have a duty to "have due regard to the need to prevent people from being drawn into terrorism" and to safeguard children from radicalisation and extremism. For the MAT, this means that we have a responsibility to protect our pupils from extremist and violent views and to inform, educate and take action when we identify that there are any safeguarding concerns which are rooted in radicalisation and extremism.

5. Policy Principles and Aims

- 5.1 The Trust is committed to the following core safeguarding principles:
- The Trust's responsibility to safeguard and promote the welfare of children is of paramount importance.
 - All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection.
 - Children who are safe and feel safe are better equipped to learn.
 - The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, members, trustees and local Governors to share this commitment.
 - All staff, volunteers, members, trustees and local Governor share an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm at home, in the community or in an Academy.
 - If, at any point, there is a risk of immediate serious harm to a child a referral will be made to Children's Social Care immediately. **Anybody can make a referral.** If the child's situation does not appear to be improving, any staff member with concerns should press for a re-consideration. Concerns should always lead to help for the child at some stage.

- All staff members will maintain an attitude of 'It could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members are to always act in the interests of the child.
- Children and staff involved in child protection issues will receive appropriate support.
- Policies will be reviewed at least annually unless an incident or new legislation or guidance suggests the need for an interim review.

5.2 The aims of this Policy and Procedure are to:

- provide all staff, volunteers, members, trustees and local Governors with the necessary information to enable them to meet their safeguarding and child protection responsibilities;
- ensure consistent good practice;
- demonstrate the Trust and Academy's commitment with regard to safeguarding and child protection to pupils, parents and other partners.
- contribute to the Academy's safeguarding portfolio.

6. Safeguarding and Child Protection Statement

6.1 The Trust recognises the moral and statutory responsibility to safeguard and promote the welfare of all pupils and endeavours to provide a safe and welcoming environment where children are respected and valued. The Trust is alert to the signs of abuse, neglect and exploitation and will follow the set procedures to ensure that children receive effective support, protection and justice.

6.2 In upholding this statement the Trust expects that all staff will adhere to good practice in relation to safeguarding / child protection, as outlined below:

- Treating all children with respect.
- Setting a good example by conducting themselves appropriately.
- Involving pupils in decisions that affect them.
- Encouraging positive, respectful and safe behaviour among pupils.
- Challenging radical and extremist views by exploring other cultures and religions, promoting diversity and challenging prejudices and inappropriate comments.
- Promoting the spiritual, moral, social and cultural development of pupils, as well as British values such as democracy.

- Being a good listener.
- Being alert to changes in a child/pupils' behaviour and to signs of abuse, neglect and exploitation.
- Recognising that challenging behaviour and mental health issues may be an indicator of abuse.
- Reading and understanding the Trust's Safeguarding and Child Protection Policy, safeguarding and child protection procedures outlined in the KCC model policy, the Staff Code of Conduct and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact and information-sharing.
- Asking the child's permission before initiating physical contact, such as assisting with dressing, physical support during PE or administering first aid, unless the child/pupil's behaviour is in danger of causing harm to themselves or others.
- Maintaining appropriate standards of conversation and interaction with and between children and avoiding the use of sexualised or derogatory language.
- Being aware that the personal and family circumstances and lifestyles of some children lead to an increased risk of abuse.
- Being aware that children may abuse each other. Having procedures in place to tackle this and to educate children about the impact of child-on-child abuse.
- Applying the use of reasonable force and physical intervention only as a last resort and in compliance with Academy procedures as outlined in the Academy's own Behaviour Policy.
- Referring all concerns about a child/pupil's safety and welfare to the DSL or, if necessary, directly to the Police or Children's Social Care.

6.3 All staff, volunteers, members, trustees and local Governors are to be aware that the Trust regards that inappropriate behaviour towards children and pupils as unacceptable and that their conduct towards pupils must be beyond reproach.

6.4 Child on Child Abuse – The Trust and all academies recognize that children may abuse their peers and it will not be tolerated. Safeguarding leaders across the Trust will take all allegations and incidents seriously. This will include where the alleged behaviour:

- Is serious and potentially a criminal offence
- Could put pupils in the school at risk
- Is violent

- Involves any form of sexual abuse or harassment. When considering instances of harmful sexual behaviour between children, leaders will consider ages and stages of development.
- Bullying including cyber and prejudice based bullying

7. Children Who May be Particularly Vulnerable

7.1 The Trust recognises that some children are more vulnerable to abuse, neglect and exploitation than others. Several factors may contribute to that increased vulnerability such as societal attitudes and assumptions including prejudice and discrimination; child protection procedures that are inadequately responsive to children's diverse circumstances; isolation; social exclusion; communication issues; a reluctance on the part of some adults to accept that abuse can occur; as well as an individual child's personality, behaviour, disability and family circumstances.

7.2 To ensure that all of children receive equal protection, the Trust will give special consideration to children who are:

- disabled, have special educational needs or have mental health needs;
- young carers;
- living in a domestic abuse or violent situation;
- affected by parental substance misuse;
- asylum seekers;
- looked after by the Local Authority;
- have a Social Worker;
- otherwise living away from home;
- vulnerable to being bullied, or engaging in bullying behaviours;
- living in temporary accommodation;
- living transient lifestyles;
- living in chaotic and unsupportive home situations;
- vulnerable to discrimination and maltreatment on the grounds of race,
- ethnicity, religion, disability or sexuality;
- involved directly or indirectly in child sexual exploitation (CSE) and/or child

criminal exploitation (CCE);

- do not have English as a first language;
- at risk of female genital mutilation (FGM), forced marriage or honour based abuse;
- at risk of becoming radicalised, involved in gangs and/or violent extremism.
- has a parent or carer in custody or is affected by parental offending.
- has experienced multiple suspensions, is at risk of being permanently excluded from school
- are in the court system
- children witnessing the ill-treatment of others and children who see, hear or experience domestic abuse and its effects

This list provides examples of additionally vulnerable groups and is not exhaustive.

Additional support and consideration will also be given to vulnerable pupils around online safety.

8. Attendance

- 8.1 It is recognised by the Trust that full attendance at school is important to the well-being of all children/pupils and enables them to access the opportunities made available to them at school. Attendance is monitored closely and each Academy works closely in partnership with the relevant local authority attendance compliance and enforcement service when the patterns of absence give rise to concern.
- 8.2 The Trust is aware that a child going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation. The DSL will monitor unauthorised absence, particularly where children go missing on repeated occasions and will follow the Department for Education's legal requirements for schools in respect of recording and reporting of children who leave school without any known destination.
- 8.3 The individual Academy Attendance procedures are set out in a separate document and is reviewed regularly by the Local Governing Bodies.

9. Helping Pupils to Keep Themselves Safe

- 9.1 *The latest Keeping Children safe in Education* requires governing bodies to ensure that children are taught about safeguarding, including keeping safe online (point 134-137), and through teaching and learning opportunities, as part of providing a "broad and balanced curriculum" whether this is provided

at school or via remote learning.

- 9.2 The Trust is committed to ensuring that pupils are aware of behaviour towards them that is not acceptable and how they can keep themselves safe.
- 9.3 Pupils are taught to understand and manage risk through the Personal, Social, Health and Economic (PSHE) education lessons, Relationships Education and through all aspects of Academy life.
- 9.4 All children are aware of who the senior member of staff with responsibility for child protection is, but that they can also talk to any member of staff regarding being at risk of harm or abuse.
- 9.5 Children are informed as to who they might talk to both in and out of the Academy, their right to be listened to and heard and what steps can be taken to protect them from harm.
- 9.6 When concerns are identified, staff will always speak to children and will inform parents about their concerns unless there is good reason to believe that doing so would place the child at increased risk of significant harm.

10. Partnership with Parents and Carers

- 10.1 The Trust is committed to working with parents positively, openly and honestly. Each Academy will ensure that all parents are treated with respect, dignity and courtesy. Parents' rights to privacy and confidentiality are respected and the Academy will not share sensitive information unless it has permission or it is necessary to do so in order to protect a child.
- 10.2 Each Academy will share with parents any concerns it may have about their child, unless to do so may place a child at risk of harm.
- 10.3 Each Academy will encourage parents to discuss any concerns they may have with identified staff within the school.

11. Partnerships with Others

- 11.1 The Trust recognises that it is essential to establish positive and effective working relationships with other agencies. Each Academy will work closely with local, relevant agencies to help and support children.
- 11.2 There is a joint responsibility on all these agencies to share information to ensure the safeguarding of all children.
- 11.3 Where a child is placed with an Alternative Provision Provider, the school continues to be responsible for the safeguarding of that individual. It is essential that DSLs and DDSLs have a good working relationship with that provider and meet regularly to ensure that the safeguarding of that child is continually monitored and assessed.

12. Support for Children, Families and Staff Involved in a Child Protection Issue

- 12.1 It is recognised that a child's welfare is paramount, however good child protection practice and outcome relies on a positive, open and honest working partnership with parents.
- 12.2 Whilst the Academy may, on occasion, need to make referrals without consultation with parents, every effort will be made to maintain a positive working relationship with parents whilst fulfilling the Academy's duties to protect the child.
- 12.3 The Trust recognises that staff dealing with disclosures of information may need support themselves and in such circumstances each Academy will provide appropriate in-house support or access to external services.
- 12.4 The Academy will support children, their families and staff by:
- taking all suspicions and disclosures seriously;
 - nominating a link person who will keep all parties informed and be the central point of contact;
 - where a member of staff is the subject of an allegation made by a child/pupil, separate link people will be nominated to avoid any conflict of interest;
 - providing proper explanations (appropriate to age and understanding), as to what action is being taken on their behalf and why;
 - responding sympathetically to any request from children/pupils or staff for time out to deal with distress or anxiety;
 - maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
 - storing records securely;
 - offering details of helplines, counselling or other avenues of external support;
 - when appropriate, following the procedures laid down in the Trust's whistleblowing, complaints and disciplinary procedures;
 - Co-operating fully with relevant statutory agencies.

13. Record Keeping

- 13.1 In relation to maintaining safeguarding (including Early Help) and child protection records, the Academy will:
- keep clear detailed written records of concerns about children (noting the

date, event and action taken), even where there is no need to refer the matter to Children's Social Care immediately;

- as well as keeping records of concerns, discussions and decisions, designated safeguarding leads should keep record of the rationale for any decisions made;
- keep records in a secure folder in a meticulous chronological order;
- ensure all records are kept securely and independently from the pupil's school records in locked locations;
- when a child moves, ensure all relevant child protection records are sent separate from the general pupil files and directly to the Designated Safeguarding Lead of the receiving school or other education establishment.

13.2 Child protection information will be stored and handled in line with Data Protection Act principles.

13.3 The Data Protection Act does not prevent Academy staff from sharing information with relevant agencies, where that information may help to protect a child.

14. Confidentiality and Information Sharing

14.1 All staff will ensure that child protection issues retain a high level of confidentiality, not only out of respect for the child, their family and staff involved but also to ensure that information being released into the public domain does not compromise evidence.

14.2 Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the DSL, another SLT member or outside agency, as required.

14.3 It is reasonable for staff to discuss day-to-day concerns about pupils with colleagues in order to ensure that children's general needs are met in school. However, staff should only refer child protection concerns to the DSL or the Head Teacher or – in the case of concerns about the Head teacher – to the CEO of the MAT Board. The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis. **However, the statutory guidance in 'Keeping Children Safe in Education' emphasises that any member of staff can contact and/or make a referral to Children's Social Care if they are concerned about the safety of a child.**

14.4 Staff have a professional responsibility to share information with other agencies in order to safeguard children.

14.5 Staff, parents, members, trustees and local Governors are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation of abuse is prohibited by law. Publication includes

verbal conversations or writing, including content placed on social media sites.

15. Parental Access to Child Protection Information

- 15.1 Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that parents do not have an automatic right to see them.
- 15.2 Any parent wanting to see child protection records, will need to make the request to the Head teacher, who will advise them to submit a Subject Access to Information request for consideration.

16. Complaints Procedure

- 16.1 The Trust's complaints procedure will be followed where a child or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a child or attempting to humiliate them, bullying or belittling a child or discriminating against them in some way. Complaints are managed by the Head teacher and other members of the Senior Leadership Team.
- 16.2 Complaints from staff are dealt with under the Academy's Complaints Policy and the Staff discipline, Conduct and Grievance Policy.

17. Safer Recruitment

- 17.1 The Academy will have regard for the latest *'Keeping Children Safe in Education, Part three: Safer recruitment'* and ensure that all appropriate measures are applied in relation to everyone who works in the Academy, who is likely to be perceived by a child as a safe and trustworthy adult including temporary staff, volunteers, members, trustees and local Governors and staff employed by contractors.
- 17.2 To comply with safer recruitment practice all applicants will:
- complete an application form which includes their employment history;
 - provide two referees, including at least one who can comment on the applicant's suitability to work with children;
 - provide evidence of identity and qualifications;
 - be checked in accordance with the Disclosure and Barring Service (DBS) regulations, as appropriate to their role;
 - provide evidence of their right to work in the UK, including relevant overseas checks;
 - be interviewed by a panel of at least two school leaders/local Governors or Trust staff;

- allow the Academy to verify the candidate's mental and physical fitness to carry out their work responsibilities.

The Academy will ensure that:

- at least one member of staff of each recruitment panel (or volunteer appointment process) will have attended safer recruitment training.
 - all new members of staff and volunteers will undergo an induction that includes familiarisation with the Trust's Safeguarding / Child Protection Policy, Staff Code of Conduct, other issues as in section 16 of this Policy and identification of their child protection training needs.
 - written confirmation is obtained from supply agencies, stating that they have satisfactorily undertaken all appropriate checks that the school would have undertaken if they were employing the individual directly.
 - a single central record of completed recruitment checks, is maintained in accordance with Part 3 of *Keeping Children Safe in Education*
 - *Academies will* check that an applicant for a management position is not the subject of a section 128 direction made by the secretary of state prohibiting or restricting her/him from taking part in the management of an independent school, Academy or free school.
 - All members, trustees and local Governors will be the subject of Enhanced DBS checks as defined in the latest *Keeping Children Safe in Education*.
- 17.3 In addition to obtaining the DBS certificate described, anyone who is appointed to carry out teaching work will require an additional check, carried out using the Employer Access Online Service, to ensure they are not prohibited from teaching.
- 17.4 For staff who work in childcare provision or who are directly concerned with the management of such provision, the Academy will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009.
- 17.5 Volunteers will undergo checks commensurate with their work in the school and contact with pupils.
- 17.6 Volunteers who work only in a supervised capacity and are not in regulated activity will undergo the safer recruitment checks appropriate to their role, in accordance with the school's risk assessment process and statutory guidance.
- 17.7 The Academy will check the identity of all contractors working on site and request DBS checks where appropriate.

18. Staff Training

- 18.1 The DSL will attend appropriate training for newly appointed DSLs and refresher training every two years. The DSL will also be supported to access inter-agency training as part of their continuing professional development.
- 18.2 At least two senior staff members in each Academy and two Governors will complete safer recruitment training.
- 18.3 All staff (including temporary staff and volunteers) will receive an explanation during their induction, and updated annually, which will include:
- the Safeguarding and Child Protection Policy, including county-specific procedures as outlined in the model policy;
 - signs and symptoms of abuse, neglect and exploitation;
 - responding to disclosure of abuse, neglect or exploitation by a child;
 - reporting and recording arrangements;
 - the staff Code of Conduct;
 - details of the DSL.
 - Cyber security training
- 18.4 The induction will take place **before** a new member of staff or volunteer has direct contact with children in the Academy.
- 18.5 The Trust's Safeguarding and Child Protection Policy and Academy Staff Code of Conduct will be sent with the letter confirming an appointment with a written requirement that the individual has read the two documents in advance of starting work at the Academy. The individual will be given an opportunity to clarify any issues on their first day at work and then asked to sign to confirm that they have read and understood both policies and undertake to comply with them.
- 18.6 All staff, including the Head teacher and volunteers will receive appropriate and regularly updated safeguarding and child protection training and thematic updates as required (at least annually) during inset days and regular discussions at staff meetings, to provide them with the requisite skills and knowledge to safeguard children effectively in line with statutory guidance and any requirements of the relevant local safeguarding board.
- 18.7 Staff should be trained to be vigilant and to notice and record any concerns about young people sending and receiving indecent images, which includes listening to what children say to each other and to staff, as they do with any other safeguarding concern.
- 18.8 All staff will be made aware of the increased risk of abuse to certain groups, including children with special educational needs and disabilities, looked

after children, young carers and risks associated with specific safeguarding issues including child sexual exploitation, extremism, female genital mutilation and forced marriage.

19. Site Security

- 19.1 Visitors to the Academy, including contractors, are to sign in at reception and are given an identity badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in.
- 19.2 All visitors are expected to observe the Trust's safeguarding and health and safety regulations to ensure children are kept safe.
- 19.3 The Head teacher will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site in line with the requirements of the latest *Keeping Children Safe in Education*.

20. Extended School and Off-Site Arrangements

- 20.1 Where extended school activities are provided by and managed by the Academy, the Academy Trust's and Child Protection Policy and Procedures apply. If other organisations provide services or activities on the Academy site, the Academy will check that those organisations have appropriate procedures in place, including safer recruitment procedures.
- 20.2 When Academy pupils attend off-site activities, including day and residential visits and work-related activities, the Academy will check that effective child protection and whistleblowing arrangements are in place.

21. Photography and Images

- 21.1 In order to protect pupils the Academy will:
- seek their consent and parental consent for photographs or video images to be taken/published;
 - ensure children are appropriately dressed;
 - encourage children to tell a member of staff if they are worried about any photographs that are taken of them;
 - only use school owned equipment to record and store images or video taken by staff or volunteers on the school site or during offsite school activities including residential visits.
- 21.2 When using images for publicity purposes, the Academy will:
- avoid naming pupils where possible;

- if it is necessary to name pupils, use first names only;
- where children are named, avoid using their image;
- establish whether the image will be retained for further use, where and for how long;
- ensure that images are stored securely and used only by those authorised to do so.

21.3 Visiting professionals who work directly with children are subject to the same restrictions as school staff and volunteers in respect of recording and storing images of children.

21.4 However, some visiting professionals are permitted to record images of the premises only specifically for professional purposes and in order to support the school, e.g. professionals providing advice or preparing quotations for work such as maintenance, health and safety and building.

22. E-Safety

22.1 The Academy's E-safety Policy explains how pupils are kept safe in school when using technology. Refer to each Academy's E-Safety Policy.

Each Academy sets out how they meet the digital and technology standards in their local policies and it is the responsibility of the Local Governing Body to review and monitor annually.

23. Roles and Responsibilities

23.1 The Trust's Board of Trustees and the Trust Leadership Team in Partnership with the Academy's Local Governing Body will ensure that each Academy:

- Implements the Safeguarding and Child Protection Policy, including a Staff Code of Conduct, which are consistent with the Kent Safeguarding Children Multi Agency Partnership and statutory requirements and national guidance, reviewed annually and made available publicly on the Academy's website and other means.
- Has procedures for dealing with allegations of abuse made against members of staff and volunteers including allegations made against the Head Teacher and allegations against other children, that are consistent with Kent Safeguarding Children Multi Agency Partnership and statutory requirements/national guidance, including Part 4 of the latest Keeping Children Safe in Education.

- Has safer recruitment procedures that include at least one person on any appointment panel who has undertaken safer recruitment training and statutory checks on staffs' and volunteers' suitability to work with children that are consistent with Kent Safeguarding Children Multi Agency Partnership and statutory requirements/national guidance.
- Has procedures in place for processing, filtering and monitoring systems, undertaking documenting decisions on what is blocked or allowed and why, and regularly review the effectiveness of the filtering and monitoring systems in place (see individual Academies E-Safety Policy).
- Appoints a Designated Safeguarding Lead (DSL) who is a senior member of staff and who has undertaken training in inter-agency working, in addition to basic child protection training and includes all duties and responsibilities in their job description
- Ensures that the DSL role is explicit in the role holder's job description (KCSIE Annex C) and that safeguarding responsibilities are identified explicitly in the job/role descriptions of every member of staff and volunteer.
- Develops an induction strategy that ensures all staff, including the Head Teacher and new Governors, receive information about the Academy's safeguarding arrangements on induction and appropriate child protection training, behaviour policy and the role of the DSL on induction
- Develops a training strategy that ensures that all staff, including the Head Teacher, Governors and volunteers receive appropriate training which is regularly updated in as required (at least annually). The training strategy will also ensure that the DSL and Deputy DSL's receives refresher training and regular updates as defined under the DSL's duties above.
- Appoints a designated teacher to promote the educational achievement of children who are looked after by the Local Authority and ensures that the designated teacher has appropriate training.
- Teaches pupils about safeguarding, including how to keep themselves safe at all times including when online as part of a broad and balanced curriculum.
- Remedies without delay, any deficiencies or weaknesses regarding safeguarding and child protection arrangements.

23.2 The CEO of the MAT Board is responsible for liaising with the relevant LA and / or partner agencies in the event of allegations of abuse being made against an Academy Head teacher.

23.3 All Staff (including temporary staff and volunteers) will:

- fully comply with the Trust's Policies, local safeguarding and child

protection procedures and Staff Code of Conduct.

- read, become familiar with, and act in accordance with appendix 1 of the latest *'Keeping Children Safe in Education Part One and Annex B'* and sign the relevant documentation to say that they have done so; and appendix two of this policy outlining information relating to abuse.
- Ensure they know who the DSL is and their role.
- Attend appropriate training.
- Refer all concerns about a child's safety and welfare to the DSL or Head Teacher, or, if necessary, directly to the Police or Children's Social Care. This includes fulfilling mandatory duties as outlined in *'Keeping Children Safe in Education'*
- Will make a report when:
 - Staff witness or suspect unsuitable material has been accessed
 - Staff can access unsuitable material
- Staff are teaching topics which could create unusual activity on the filtering logs
- There is failure in the software or abuse of the system
- There are perceived unreasonable restrictions that affect teaching, learning or administration
- Staff notice abbreviations or mis-spelling that allows access to restricted material.

Appendix 1 Managing Allegations Against Staff (including low-level concerns) procedure. *This procedure will be followed (as relevant), relating to allegations made against an individual or organization using the school premises for the purpose of running activities for children.*

SECTION 1 – ALLEGATIONS THAT MAY MEET THE HARM THRESHOLD

1. Allegations that may meet the harms threshold

This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer or contractor, has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school

If we're in any doubt as to whether a concern meets the harm threshold, we will consult our local authority designated officer (LADO).

We will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

A 'case manager' will lead any investigation. This will be the headteacher, or the chair of governors where the headteacher is the subject of the allegation. The case manager will be identified at the earliest opportunity. Our procedures for dealing with allegations will be applied with common sense and judgement.

2. Suspension of the accused until the case is resolved

Suspension of the accused will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children

- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the Trust

If in doubt, the case manager will seek views from the school's personnel adviser and the designated officer at the local authority, as well as the police and children's social care where they have been involved.

3. Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

4. Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the case manager will take the following steps:

- Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below
- Discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)

- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate
- Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to children's social care

If immediate suspension is considered necessary, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details

If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation

If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate. Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.

Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice

Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)

Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the police are involved, wherever possible the school will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

Where we operate early years provision, we will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

5. Additional considerations for supply teachers and all contracted staff

If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

- We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome
- The governing board will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school, while the school carries out the investigation
- We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the LADO as required
- We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

6. Timescales

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 working days
- However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter.

7. Specific actions

7.1. Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

7.2 Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the school will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the school will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

7.3 Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

7.4 Unsubstantiated, unfounded, false or malicious reports

If a report is:

- Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

7.5 Unsubstantiated, unfounded, false or malicious allegations

If an allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it.

8. Confidentiality and information sharing

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The case manager will take advice from the LADO, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

9. Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, decisions reached and the outcome

- A declaration on whether the information will be referred to in any future reference

In these cases, the school will provide a copy to the individual, in agreement with children's social care or the police as appropriate.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

10. References

When providing employer references, we will:

- Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious
- Include substantiated allegations, provided that the information is factual and does not include opinions

11. Learning lessons

After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the school's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

12. Non-recent allegations

Abuse can be reported, no matter how long ago it happened.

We will report any non-recent allegations made by a child to the LADO in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to the school that they were abused as a child, we will advise the individual to report the allegation to the police.

SECTION 2: CONCERNS THAT DO NOT MEET THE HARM THRESHOLD

This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

A low-level concern is a behaviour towards a child by a member of staff that does not meet the harm threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. For example, this may include:

- Being over-friendly with children Having favourites
- Taking photographs of children on a personal device
- Engaging in 1-to-1 activities where they can't easily be seen
- Humiliating pupils

Low-level concerns can include inappropriate conduct inside and outside of work.

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

13. Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns as per our Safeguarding Policy and Managing Allegations Against Staff Procedure
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing responsive, sensitive and proportionate handling of such concerns when they are raised

- Continuing to review our systems and approaches

14. Responding to low-level concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the Trust's Code of Conduct and HR procedures. The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

15. Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with our Data Protection Policy.
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

16. References

We will not include low-level concerns in references unless:

The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated;

and/or

The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

Statutory Organisation Contact Details

Children's Social Care referrals/emergency contacts / referral forms:

www.kscmp.org.uk or dial 03000 42 11 26

Local Authority Designated Officer (LADO):

www.kscmp.org.uk/procedures/local-authority-designated-officer-lado

Children Missing in Education Service (CME):

www.kent.gov.uk/education-and-children/schools/school-attendance/children-missing-education