

Child Protection and Safeguarding Children Policy and Guidance

This Policy is available on the website but will be made available to parents on request.

This policy is written in Line with guidance given in *Keeping Children Safe in Education 2022* (KCSIE) including Annex B for school leaders and those working directly with Children, *Prevent Duty* (April 2021), *Working Together to Safeguard Children* (2018) (WT), *What to do if you're worried a child is being abused* (2015), and the Local Safeguarding Children Partnership (LSCP), National Minimum Standards for Boarding 2022 (NMS).

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Named staff and contacts.

Designated Safeguarding Lead and Prevent single point of contact (SPOC)

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Abby Cox (Medical Centre Manager) Deputy Designated Safeguarding Lead

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Chair of the Trustees: Professor Neil Gorman

Email ng@oakham.rutland.sch.uk

Nominated Safeguarding Trustee: Mrs Margaret Miles

Email MM2@oakham.rutland.sch.uk

Designated Teacher of Children in Care: Oakham School does not currently have any students in care.

Rutland Children and Young Peoples Services:

Child protection duty desk - Monday – Friday 0830-1700 Tel: 01572-758407

LADO Donna Cole, Monday – Friday 0830-1700 Tel: 01572-758454

Out of hours Emergency Service - Weekends, Evenings and Bank Holidays
Tel: 0116-305 0005

Email: childrensduty@leics.gov.uk

Leicestershire & Rutland Local Safeguarding Children Partnership; <http://lrsb.org.uk/>

Safeguarding Development Officers:

Simon Genders 0116 305 7750 Ann Prideaux 0116 305 7317

All other referrals including Early Help (Children & Family Wellbeing) Services

Early Help queries and Consultation Line 0116 3058727 <http://lrsb.org.uk/childreport>

1 Introduction

1.1 Oakham School fully recognises the contribution it can make to protect children and support pupils in school. The aim of the policy is to safeguard and promote our pupils' welfare, safety and health by fostering an honest, open, caring and supportive environment. We encourage children to talk about their worries and to report their concerns to us. The pupils' welfare (both mental and physical) is of paramount importance.

1.2 This policy is consistent with:

- The legal duty to safeguard and promote the welfare of children, as described in section 175 of the Education Act 2002 [or section 157 of the Education Act 2002 for independent schools and academies] and the statutory guidance "*Keeping children safe in education – Statutory guidance for schools and colleges*", 2022, "*Working Together to Safeguard Children*", 2018.
 - The Leicestershire and Rutland Safeguarding Children Partnership - Multi-Agency Safeguarding Arrangements.
 - All policies and procedures which contain guidance for the support and safeguarding of children.

1.3 There are four main elements to our Child Protection and Safeguarding Policy:

- **Prevention** (e.g., positive school atmosphere, teaching and pastoral support to pupils, safer recruitment procedures).
- **Protection** (by following agreed procedures, ensuring staff are trained and supported to respond appropriately and sensitively to Child Protection concerns).
- **Support** (to pupils and school staff and to children who may have been harmed or abused).
- **Working with parents** (to ensure appropriate communications and actions are undertaken).

1.4 This policy applies to all staff, volunteers, Trustees and visitors to the School. Oakham School recognises that child protection is the responsibility of all adults in school. We will ensure that all parents and other working partners are aware of our child protection policy, displaying appropriate information on the school website and by raising awareness in our communication with parents as appropriate.

1.5 Extended school activities

Where Oakham School provides services or activities directly under the supervision or management of school staff, the School's arrangements for child protection will apply. Where services or activities are provided separately by another body, the School will seek assurance in writing that the body concerned has appropriate policies and procedures in place to safeguard and protect children (inspecting these where needed) and that there are arrangements to liaise with the School on these matters where appropriate. Safeguarding requirements will be included in any lease

or hire agreement as a condition of use; and any failure to comply will lead to termination of the agreement.

2 Safeguarding Commitment

2.1 Oakham School adopts an open and accepting attitude towards children as part of its responsibility for pastoral care. Staff encourage children and parents to feel free to talk about any concerns and to see school as a safe place when there are difficulties. Children's worries and fears will be taken seriously, and children are encouraged to seek help from members of staff.

2.2 Oakham School will therefore:

- Establish and maintain an ethos where all children (including those having protected characteristics under the Equalities Act 2010) feel secure and are encouraged to report concerns, talk, and are listened to;
- Ensure that children know that there are adults in the School whom they can approach if they are worried or are in difficulty; and that there are alternative ways to report concerns;
- Include in the curriculum activities and opportunities for PSHE/Citizenship which equip children with the skills they need to stay safe from abuse (including online and other contexts children are in), and to know to whom they can turn for help;
- Ensure every effort is made to establish effective working relationships with parents and colleagues from other agencies;
- Operate safer recruitment procedures and make sure that all appropriate checks are carried out and recorded on the single central register for new staff and volunteers who will work with children, including identity, right to work, enhanced DBS criminal record and barred list (and overseas where needed), references, and prohibition from teaching or managing in schools (s.128) etc. (see Keeping children safe in education part 3).

2.3 Safeguarding in the Curriculum

- Oakham School will always take the safeguarding of its pupils as paramount. Children are taught about safeguarding in school and pupils follow a full PSHE programme.
- We create an environment and ethos in which children feel secure, their viewpoints are valued, they are encouraged to talk and they are listened to.
- We provide suitable support and guidance so that pupils have a range of appropriate adults who they feel confident to approach if they are in difficulties.

- We use the School's curriculum to raise pupils' awareness and build confidence so that they have a range of contacts and strategies to ensure their own protection and understand the importance of protecting others.
- Staff treat the children with respect and all pupils are expected to treat each other and staff with respect.
- We impress upon pupils the importance of rejecting violence as a means of resolving conflict.
- We regularly review and evaluate our school policies and practices of social control and behaviour modification.
- We give pupils opportunities to understand and strategies for coping with stress.
- Senior pupils (House Prefects, The Decem) are given posts of responsibility that give them a pastoral role and they are briefed on the appropriate action to take if they receive information pertaining to child protection issues or of a more general pastoral nature.
- Mobile phones, laptops, tablets and other networked devices are integral to all our lives. However, this comes with associated risks that includes the following: exposure to inappropriate material, physical danger, cyber-bullying, legal and commercial issues, addictive behaviour, radicalisation, CSE and sexting. These issues are addressed by educating pupils about digital citizenship through PSHE, managed in accordance with the School's E-Safety Policy and reinforced through filtering and monitoring systems. The School recognizes that these controls are easily bypassed using 3/4 or 5G connections and hence emphasises the need for discussion between parents, pupils and staff about digital citizenship issues.

The following areas are among those addressed in PSHE and Relationships Education, Relationships and Sex Education and Health Education and in the wider curriculum:

- Bullying (including Cyberbullying)
- Drugs, alcohol and substance abuse (including awareness of County Lines and the Criminal Exploitation of children where appropriate)
- Online safety
- The danger of meeting up with strangers
- Fire and water safety
- Road safety
- Domestic Abuse
- Healthy Relationships / Consent
- (So-called) Honour Based Abuse issues e.g., forced marriage, Female Genital Mutilation (FGM) (see Appendix 7).
- Sexual exploitation of children (CSE), including online
- Child criminal exploitation (CCE)
- Preventing Extremism and Radicalisation (see Appendix 6)

3 Roles and Responsibilities

3.1 General

All adults working with or on behalf of children have a responsibility to safeguard and promote their welfare. This includes a responsibility to be alert to possible abuse and to record and report concerns to staff identified with child protection responsibilities within the School. Anyone can make a referral but where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made.

The names of the Designated Safeguarding Lead and Deputy Designated Safeguarding Leads for the current year are listed at the start of this document.

3.2 Trustee Body

In accordance with the statutory guidance Keeping Children Safe in Education 2022, the Trustee Body will ensure that: -

- The School has its own child protection/safeguarding policy, procedures and training in place which are effective and comply with the law at all times. The policy is made available publicly.
- Safeguarding training including online safety is integrated, aligned and considered part of the whole school safeguarding approach and wider staff training and curriculum planning.
- Oakham School pupils are taught about safeguarding including online safety as part of a broad and balanced curriculum.
- The School operates safer recruitment practices, including appropriate use of references and checks on new staff and volunteers. Furthermore, the Head, nominated Trustees and other staff involved in the recruitment process have undertaken Safer Recruitment Training.
- There are procedures for dealing with safeguarding concerns (including lower-level concerns) and allegations of abuse against members of staff and volunteers (see Appendix 2).
- There is a senior member of the School's leadership team who is designated to take lead responsibility for dealing with child protection (the "Designated Safeguarding Lead") and there is always cover for this role with appropriate arrangements for before/after school and out of term time activities.
- The Designated and Deputy Safeguarding Leads undertake effective Local Authority training (in addition to basic child protection training) and this is refreshed every two years. In addition to this formal training, their knowledge and skills are updated at regular intervals (at least annually) via safeguarding briefings etc

- The Head, and all other staff and volunteers who work with children, undertake appropriate safeguarding training including online safety training which is regularly updated (at least every three years in compliance with the Safeguarding Children Partnership protocol); and new staff and volunteers who work with children are made aware of the School's arrangements for child protection and their responsibilities (including this policy, Part 1 of Keeping children safe in education 2022 (or Annex A, if appropriate), the pupil behaviour policy, the staff Code of Conduct, the role of the Designated Safeguarding Lead (and how to respond if children go missing). The Local Authority Induction leaflet, ("Safeguarding in Education Induction – Child Protection Information, Safer Working Practice") will be used as part of this induction and Annex B from "Keeping children safe in education" 2022 is provided to all staff working directly with children.
- As a minimum, the Safeguarding Policy will be reviewed annually by the Trustees and any deficiencies or weaknesses brought to the attention of the Trustee Body will be rectified without delay.
- The Chair of Trustees (or, in the absence of a Chair, the Vice Chair) deals with any allegations of abuse made against the Head, in liaison with the Local Authority Designated Officer (LADO).
- Effective policies and procedures are in place and updated regularly including a behaviour "Code of Conduct" for staff and volunteers - "Guidance for Safer Working Practice for those who work with children in education settings Feb 2022". Information is provided to the Local Authority (on behalf of the Safeguarding Children Partnership) through the Safeguarding Annual Return.
- The Trustee Body should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR. This includes being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.
- There is an individual member of the Trustee Body who will champion issues to do with safeguarding children and child protection within the School, liaise with the Designated Safeguarding Lead, and provide information and reports to the Trustees.
- The School contributes to inter-agency working in line with statutory guidance "Working Together to Safeguard Children" 2018 including providing a co-ordinated offer of Early Help for children who require this. This Early Help may be offered directly through school provision or via referral to an external support agency. Safeguarding arrangements take into account the procedures and practice of the local authority and the Leicestershire and Rutland Safeguarding Children Partnership.

Head

The Head of the School will ensure that:

- The policies and procedures adopted by the Trustee Body are effectively implemented and followed by all staff.
- Sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities, including taking part in strategy discussions and other inter-agency meetings and contributing to the assessment of children.
- Allegations of abuse or concerns that a member of staff or adult working at school may pose a risk of harm to children or young people are notified to the Local Authority Designated Officer (LADO), where the threshold is met.
- All staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner. The NSPCC whistle blowing helpline number is also available (0800 028 0285).
- All staff are made aware that they have an individual responsibility to pass on safeguarding concerns and that if all else fails to report these directly to Children's Social Care (Children's Services) or the Police.

3.4 Designated Safeguarding Lead

The Designated Safeguarding Lead (or a Deputy) will always be available for staff to discuss any safeguarding concerns. The responsibilities of the DSL are found in Annex C of "Keeping children safe in education"2022. The DSL is a senior member of staff on the Senior Leadership Team and the role is explicit in their job description. Responsibilities include:

- **Managing referrals** – to the local authority children's social care, to the Channel programme, to the Disclosure and Barring Service for staff dismissed for safeguarding concerns (as required), to the Police where a crime may have been committed.
- **Working with others** – to act as a source of support and advice, to act as a point of contact for the safeguarding partners, to liaise with the Head about issues especially to do with ongoing enquiries under section 47 of the Children Act 1989 and police investigations, to liaise with staff when deciding to make a referral to relevant agencies so that children's needs are considered holistically, to liaise with the senior mental health lead, to promote supportive engagement with parents and carers, to take the lead in promoting educational outcomes for Children in Need and those with a social worker, to liaise with the Trustee Body and the Local Authority on any deficiencies brought to the attention of the Trustee Body and how these should be rectified without delay.
- **Information sharing and managing safeguarding records**– keeping records confidential, secure and up to date, with a separate record for each child, including a clear and comprehensive summary, detailing how the concern was followed up and resolved, with a note of actions, decisions and the outcome, sharing information as required to safeguard children and transferring records

and other relevant information to the new school within 5 days or in advance if necessary.

- **Raising Awareness** – ensuring each member of staff and volunteer understands the child protection policy which is reviewed at least annually, making it available publicly, ensuring staff and Trustees have access to relevant training and induction, promoting educational outcomes by sharing relevant information about vulnerable children.
- **Training, knowledge and skills** – to undergo DSL training every two years (updating at least annually via bulletins etc.) and to attend Prevent awareness training, in order to understand assessment and referral processes, to contribute effectively to child protection conferences including the importance of sharing information, to understand the lasting impact that adversity and trauma can have on children and how to respond to this, to be alert to children with specific needs e.g. SEND, those with health conditions and young carers, to understand the unique risks associated with online safety
- **Providing support to staff** – to help them feel confident on welfare, safeguarding and child protection matters, to provide support in the referral process if required and to help them to understand that safeguarding and educational outcomes are linked.
- **Understanding the views of all children** – encouraging a culture of listening to all children (including those who are known to be disproportionately impacted by different forms of harm and abuse e.g., LGBT pupils, disabled children or girls) and taking account of their wishes and feelings in measures taken to protect them and understanding the difficulties children may have in approaching staff about their circumstances.
- **Holding and sharing information** – sharing with safeguarding partners, other agencies and professionals and transferring records between schools and colleges in accordance with data protection legislation, keeping detailed, accurate and secure written records and understanding the purpose of this. The school is aware that in line with the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) personal information must be processed fairly and lawfully and held securely.

4 Records, Monitoring and Transfer

- 4.1 Well-kept records are essential to good child protection practice. All staff are clear about the need to record and report concerns about a child or children within the School. Records of concerns are communicated using CPOMS, WHISPER, email or written records, signed (possibly electronically) and dated and passed immediately to the Designated Safeguarding Lead (or a Deputy). The Designated Safeguarding Lead is responsible for such records and for deciding at what point these records should be passed over to other agencies.
- 4.2 Records relating to actual or alleged abuse or neglect are stored apart from normal pupil or staff records. Normal records sometimes have markers to show that there is sensitive material stored elsewhere. This is to protect individuals from accidental access to sensitive material by those who do not need to know.
- 4.3 Child protection records are stored securely, with access confined to specific staff, e.g., the Designated Safeguarding Lead (and Deputies) and the Head.

- 4.4 Child protection records are reviewed regularly to check whether any action or updating is needed. This includes monitoring patterns of complaints or concerns about any individuals and ensuring these are acted upon. Any actions taken are clearly indicated.
- 4.5 When children transfer school, their safeguarding records are also transferred within 5 days of them starting. Safeguarding records will be transferred separately from other records, best practice is to pass these directly to a Designated Safeguarding Lead in the receiving school, college, *or 6th form / FE college*, with any necessary discussion or explanation and to obtain a signed and dated record of the transfer. Where a child needs specific ongoing support, relevant information will be transferred prior to the child arriving at their new school. In the event of a child moving out of area and a physical handover not being possible then the most secure method will be found to send the confidential records to a named Designated Safeguarding Lead and a photocopy kept. The School will consult with the Local Area Designated Officer, the Police and Children's Social Care where appropriate, to agree the information to be disclosed to them.

5 Support to pupils and school staff

- 5.1 **Support to pupils (including those with a disability or about whom there are mental health concerns)** - Oakham School recognises that children who are abused or who witness violence may find it difficult to develop a sense of self-worth and view their lives in a positive way. For such children school may be one of the few stable, secure and predictable components of their lives. Children may be vulnerable because, for instance, they have needed an allocated social worker, they have a disability, are in care, a care-leaver or previously looked after (although at this time Oakham School has no such children in school) or are experiencing some form of neglect.

Oakham School seeks to remove any barriers that may exist in being able to recognise abuse or neglect in pupils with special educational needs, disabilities, or physical health issues. The School recognises additional barriers can exist when abuses and neglect occur or have occurred in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration.
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children.
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in managing or reporting these challenges.
- cognitive understanding – being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in schools or colleges or the consequences of doing so.

We will seek to provide such children with the necessary support and to build their self-esteem and confidence. The context in which safeguarding incidents and/or behaviours occur, whether in school or outside (including online), will be considered by staff, particularly the DSL and Deputy DSLs. Any associated threats or risks will be included in assessments and relevant information included in referrals to Children's Social Care (this is known as contextual safeguarding). General indicators of abuse and neglect (from Part 1 of the statutory guidance) are also included in Appendix 7 of this policy and further information about specific forms of abuse are contained within Appendix B of the statutory guidance, "Keeping Children Safe in Education" 2022.

5.2 Child-on-Child abuse - Oakham School recognises that children sometimes display abusive behaviour themselves and that even if there are no reports, it may still be happening. The School adopts a zero tolerance approach to child-on-child abuse. Incidents or allegations must be referred on for appropriate support and intervention. This type of abuse can happen both inside and outside school and it is important that all staff recognise the need to report any concerns they have.

Such abuse will not be tolerated or passed off as "banter, just having a laugh, part of growing up or boys being boys"; as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Staff must challenge pupils when they come across behaviour of this type so that we can ensure our pupils are able to feel confident and safe in the school environment. Examples of pupils' conduct towards each other that could raise safeguarding concerns are:

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

to create a culture of support and to ensure that girls and vulnerable groups such as LGBT and pupils from ethnic minority backgrounds feel confident to bring forward any concerns and have a safe space to talk to trusted staff about their experiences

There are separate school and local authority Safeguarding Children Partnership guidance's and policies to address these concerns including the Personal Relationships Policy, Anti-bullying Policy, E-safety Policy and "Guidance for schools working with children who display harmful sexual behaviour" (Leicestershire LA Guidance), DfE guidance "and Part 5 of "Keeping children safe in education".

All Children will be encouraged to report to a trusted adult in school all incidents of Child-on-Child abuse wherever it may have happened and will be taught about alternative ways of doing this both in school and elsewhere e.g., via 'whisper'. They will always be taken seriously and never given the impression that they are creating a problem by reporting their concern or made to feel ashamed.

It is recognised that even where no reports are received, this does not mean that such abuse is not taking place. It could just be that it has not been reported. Depending on the nature of the allegation it is likely to be dealt with in conjunction with the School's Behavioural policy and should be reported to the DSL initially.

Where specific risks are identified, a risk assessment will be undertaken in order to ensure the safety of all staff and pupils and to offer appropriate support. For further details on how Child-on-Child abuse will be dealt with see appendix 4.

The following steps will be taken to minimise the risk of Child-on-Child abuse:

- Staff training to ensure an understanding of what it is and how to recognise signs
- Promotion of a supportive environment by teaching about acceptable and unacceptable behaviours (including online) in both assemblies and the wider curriculum e.g., RSE and PHSE.
- Clear procedures put in place to govern the use of mobile phones in school.
- Appropriate staff supervision of pupils and identifying locations around the school site that are less visible and may present more risk to pupils

5.3 Online safety – We recognise that technology is a significant component in many safeguarding and wellbeing issues and that children are at risk of abuse online as well as face to face. Some children may use mobile and smart technology, whilst at school and outside of school, to sexually harass their peers, share indecent images (consensually and non-consensually) and view and share pornography and other harmful content. Many children have unrestricted access to the internet via their mobile phones and our online safety policy describes the rules governing their use in school. It also sets out the School's response to incidents which may involve one or more of the four areas of risk – content, contact, conduct and commerce. Online safety is a consideration running through the planning and implementation of all relevant policies and procedures. Staff will always respond if informed that children have been involved in sharing indecent images. The DfE guidance "Sharing nudes and semi-nudes: advice for education settings working with children and young people" (Dec 2020) will be used to guide the School's response on a case-by-case basis.

The key points for staff and volunteers (not including the DSL) being:

- Report immediately to the DSL
- Do not view, copy, print, share, store or save the imagery, or ask a child to share or download.
- If you have already viewed the imagery by accident (e.g., if a young person has showed it to you before you could ask them not to), report this to the DSL (or equivalent) and seek support.
- Do not delete the imagery or ask the young person to delete it. Leave this for the DSL who will know what process to follow.
- Do not ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL (or equivalent).
- Do not share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers.
- Do not say or do anything to blame or shame any young people involved.
- Do explain to them that you need to report it and reassure them that they will receive support and help from the DSL (or equivalent).

5.4 **Sexual violence and sexual harassment** – Sexual violence refers to sexual offences as described under the Sexual Offences Act 2003 including rape and sexual assault. Sexual harassment is ‘unwanted conduct of a sexual nature’ that can occur online and offline and may include sexual name-calling, taunting or “jokes” and physical behaviour, for example, deliberately brushing against someone or interfering with clothes. ‘Upskirting’ is a criminal offence and typically involves taking a picture under a person’s clothing without them knowing in order to obtain sexual gratification or to cause humiliation, distress or alarm.

Evidence shows that girls, children with SEND and LGBT children are more likely to be the victims of sexual violence and harassment and boys are more likely to be the perpetrators. We will take positive action to create a safe and supportive culture in school, recognising the disproportionate vulnerability of these groups so that all pupils feel supported and have a safe space in order to speak openly with trusted adults if they wish to do so. Sexual violence and sexual harassment can occur between children of any gender.

Curriculum

- Planned PHSE and Relationships, Sex and Health Education will include personal privacy, respect and consent so that children will have a better understanding of how to behave towards their peers including online. This will be taught alongside other safeguarding issues as set out in the DfE statutory guidance “Relationships Education, Relationships and Sex Education (RSE) and Health Education”. This will be appropriate to pupils’ age and stage of development. It will also be underpinned by the School’s behaviour policy and pastoral support system.

Responding to an incident

- School will follow the DfE guidance, on Child-on-child sexual violence and sexual harassment in Part 5 of “Keeping children safe in education” 2022
- Relevant staff will liaise with the Police, Social Care and Parents as appropriate.

- Support will be offered to both the alleged victim(s) and child(ren) accused. Parents will be included in discussions about the format that this support will take.
- Support will also be offered for other children who may also have been affected by a particular incident.
- To help support the decision-making process for complex cases the DSL will meet with the two out of the Head, COO and Senior Deputy Head.

5.5 **Mental Health** - All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour, and education. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, and they should contact the Designated Safeguarding Lead or a Deputy. Pupils and staff are able to make mental health referrals through the Schools' online system, the mental health team will also be mindful of underlying safeguarding issues which could lead to mental health issues.

5.6 **Children Missing (including absence from school)**– Oakham School recognises the entitlement that all children have to education and will work closely with the Local Authority Inclusion Service to share information about pupils who may be missing out on full time education or who go missing from education. The local authority will also be informed where children are to be removed from the school register a) to be educated outside the school system; b) for medical reasons; c) because they have ceased to attend; d) because they are in custody; d) because they have been permanently excluded. We also recognise that children who go missing is a sign that they may have been targeted by Child Sexual Exploitation perpetrators and/or drug related criminals (County Lines). Children may also be groomed into participating in other forms of criminal exploitation including serious violence and violent crime. Children who attend an alternative education provision are more likely to be vulnerable to these forms of exploitation.

5.7 **Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)** are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator.

CSE and CCE can affect both males and females and can include children who have been moved (trafficked) for the purpose of exploitation. The abuse can be perpetrated

by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

Victims can be exploited even when activity appears consensual and it should be noted - exploitation, as well as being physical, can be facilitated and/or take place online. CSE can include 16 and 17 year-olds who can legally consent to sex, but they may not realise they are being exploited e.g., they believe they are in a genuine romantic relationship.

A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point or are targeted by criminals involved in the illegal supply of drugs (County Lines) and serious violent crime. 'County Lines' involves drug networks or individuals exploiting children and young people into carrying drugs and money between cities, towns and villages. Serious violent crime can be associated with this form of criminal activity together with child sexual exploitation. Children may also be exploited into committing cybercrime or money laundering offences and organised criminal groups or individuals may exploit children and young people with enhanced computer skills to access digital networks and/or data for criminal and financial gain. Children with bank accounts may be persuaded to allow criminals to use their banking facilities to launder money.

CCE can also involve working in cannabis factories, shoplifting or pickpocketing and may involve coercing children to commit vehicle crime or serious violence towards others. It is important to note that the experience of girls can be very different to that of boys, but girls are also at risk.

Criminal exploitation of children is a form of harm that can affect children in both a physical environment and online. Staff training includes raising awareness of these issues and any concerns are passed to the Designated Safeguarding Lead who will make a risk assessment and refer to Local Authority First Response Children's Duty if appropriate.

- 5.8 **Serious violence** – is associated with a number of risk indicators in children including increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, signs of assault or unexplained injuries. Staff will be made aware of these and of the other risk factors which increase the likelihood of involvement in serious violence, including, being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending such as theft or robbery. Staff training will raise awareness to these risks and any concerns will be passed to the Designated Safeguarding Lead to co-ordinate a safeguarding response.
- 5.9 **So-called 'honour-based' abuse** (HBA) encompasses crimes which have been committed to protect or defend the so-called "honour" of the family and/or the community, including Female Genital Mutilation (FGM) (see appendix 7), forced marriage, and practices such as breast ironing. All forms of so called HBA are abuse

(regardless of the motivation) and concerns will be passed to the Designated Safeguarding Lead for onward referral as required.

- 5.10 **Modern slavery and human trafficking** – can take on many forms, including sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs. Children may be trafficked into the UK from abroad or moved around the country. Staff need to be aware of indicators which include, but not limited to, neglect, isolation, poor living conditions, having few personal belongings and a lack of trust and reluctance to seek help. Staff will refer any concerns to the DSL without delay who will take action and also refer victims to the National Referral Mechanism (www.gov.uk).
- 5.11 **Private fostering arrangements** - Where a child under 16 (or 18 with a disability) is living with someone who is not their family or a close relative for 28 days or more, staff inform the Designated Safeguarding Lead so that a referral to Children's Social Care for a safety check, can be made. (A close relative includes step-parent, grandparents, uncle, aunt or sibling).
- 5.12 **Domestic abuse** - can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn. Staff will refer concerns to the DSL and where the police have attended an incident of domestic abuse and school receive an "Operation Encompass" call, any pupil who may have been impacted will be supported.
- 5.13 Where a child may need a social worker due to safeguarding or welfare needs the Designated Safeguarding Lead will use this information so that decisions can be made in the best interests of the child's safety, welfare and educational outcomes.
- 5.14 Complaints or concerns raised by parents or pupils will be taken seriously and followed up in accordance with the School's complaints process.
- 5.15 **Support for Staff**

As part of their duty to safeguard and promote the welfare of children and young people, staff may hear information, either from the child/young person as part of a disclosure or from another adult, that will be upsetting. Where a member of staff is distressed as a result of dealing with a child protection concern, they should in the first instance speak to the Designated Safeguarding Lead about the support they require. The Designated Safeguarding Lead will seek to arrange the necessary support.

6 Working with parents/carers

The School will:

- Ensure that parents/carers have an understanding of the responsibility placed on the School and staff for child protection by setting out its obligations via the school website and admissions process.
- Undertake appropriate discussion with parents/carers and seek necessary consent prior to involvement of Children & Family Services Children's Social Care or another agency, unless to do so would place the child at risk of harm or compromise an investigation.

7 Other Relevant Policies

7.1 The Trustee's statutory responsibility for safeguarding the welfare of children goes beyond simply child protection. The duty is to ensure that safeguarding permeates all activity and functions. This policy therefore complements and supports a range of other policies, for instance

- Policy to Counter Bullying
- Staff Code of Conduct ("Guidance for Safer working practice")
- Personal Relationships
- Physical Interventions/Restraint (DfE Guidance "Use of Reasonable Force" and "Screening, searching and confiscation")
- Special Educational Needs and Disability
- Educational trips and visits
- Work experience and extended work placements
- First aid and the administration of medicines
- Health and Safety
- Site Security
- Online-safety and Mobile Phone
- Complaints
- Drugs and substance misuse
- Rewards and Sanctions
- Antidiscrimination policy

The above list is not exhaustive but when undertaking development or planning of any kind the school will consider the implications for safeguarding and promoting the welfare of children.

8 Recruitment and Selection of Staff (also see the Safer Recruitment policy)

8.1 Oakham School's safer recruitment processes follow the statutory guidance: *"Keeping children safe in education 2022, Part Three: Safer recruitment."*

8.2 The School will provide all the relevant information in references for a member of staff about whom there have been concerns about child protection / inappropriate conduct. Cases in which the conclusion of an allegation has been unsubstantiated, unfounded, false or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. will also not be included in a reference.

- 8.3 Oakham School has an open safeguarding ethos addressing safeguarding responsibilities during staff meetings and fostering an ongoing culture of vigilance. All new staff and volunteers receive a safeguarding induction and are briefed on the code of conduct for adults working with children. The Leicestershire County Council induction leaflet is given to all staff and is the basis for the safeguarding induction.
- 8.4 In line with statutory requirements, every recruitment process for school staff will have at least one member (teacher/manager or trustee) who has undertaken safer recruitment training.

APPENDIX 1

PROCEDURE TO FOLLOW IN CASES OF POSSIBLE, ALLEGED OR SUSPECTED ABUSE, OR SERIOUS CAUSE FOR CONCERN ABOUT A CHILD

Contents

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A. General

- 1) The Leicestershire and Rutland Safeguarding Children Partnership Procedures contain the inter-agency processes, protocols and expectations for safeguarding children. (Available on the website www.lrsb.org.uk: The Designated Safeguarding Lead is expected to be familiar with these, particularly the indicators of abuse and neglect and the referral processes.
- 2) It is important that all parties act swiftly and avoid delays.
- 3) Any person may seek advice and guidance from the First Response Children's Duty Professionals Consultation Line, particularly if there is doubt about how to proceed. Any adult, whatever their role, can take action in his/her own right to ensure that an allegation or concern is investigated and can report to the investigating agencies.
- 4) A record, dated (including the day and time) and signed, must be made as to what has been alleged, noticed and reported, and kept securely and confidentially.
- 5) In many cases of concern there will be an expectation that there have already been positive steps taken to work with parents and relevant parties to help alleviate the concerns and effect an improvement for the child. This is appropriate where it is thought a child may be in need in some way and require assessment to see whether additional support and services are required. An example might be where it is suspected a child may be the subject of neglect. In most cases the parents' knowledge and consent to the referral are expected, unless there is reason for this not being in the child's interest. However, there will be circumstances when informing the parent/carer of a referral might

put the child at risk and/or undermine Police enquiries, and in individual cases, advice from Children's Social Care will need to be taken.

B. Individual Staff/Volunteers/Other Adults – main procedural steps

- 1) When a child makes a disclosure, or when concerns are received from other sources, do not investigate, ask leading questions, examine or photograph children, or promise confidentiality. Children making disclosures should be reassured and if possible, at this stage should be informed what action will be taken next. It is important that the child feels listened to and supported.
- 2) As soon as possible make a dated (including the day), timed and signed record of what has been disclosed or noticed, said or done and report to the Designated Safeguarding Lead in the school.
- 3) If the concern involves the conduct of a member of staff or volunteer, a visitor, a Trustee, a trainee or another young person or child, the Head must be informed.
- 4) If the allegation is about the Head, the information should normally be passed to the Chair of Trustees or the Local Authority Designated Officer (LADO).
- 5) If this has not already been done, inform the child (or other party who has raised the concern) what action you have taken.

C. Designated Safeguarding Lead – main procedural steps

- 1) Begin an individual case record for each child involved which will hold a record of communications and actions to be stored securely (see Section on Records, Monitoring and Transfer). Include a chronology of case activity.
- 2) Where initial enquiries do not justify a referral to the investigating agencies, inform the initiating adult and monitor the situation. If in doubt, seek advice from the First Response professionals consultation line.
- 3) Share information confidentially with those who need to know.
- 4) Where there is a child protection concern requiring immediate, same day, intervention from Children's Social Care, the First Response Children's Duty should be contacted by phone. Written confirmation should be made within 24 hours on the Multi-Agency Referral Form to Children's Social Care. All other referrals should be made using the online form (see link <http://lrsb.org.uk/childreport>).
- 5) If the concern is about children using harmful sexual behaviour, refer to the separate guidance, "Guidance for schools working with children who display harmful sexual behaviour" (Leicestershire LA Guidance).
- 6) If it appears that urgent medical attention is required arrange for the child to be taken to hospital (normally this means calling an ambulance) accompanied by a member of staff who must inform medical staff that non-accidental injury is suspected. Parents

must be informed that the child has been taken to hospital in a reasonable time frame unless this will harm the child.

- 7) Exceptional circumstances: If it is feared that the child might be at immediate risk on leaving school, take advice from the First Response Professionals Consultation line (for instance about difficulties if the school day has ended, or on whether to contact the police). Remain with the child until the Social Worker takes responsibility. If in these circumstances a parent arrives to collect the child, the member of staff has no right to withhold the child, unless there are current legal restrictions in force (e.g., a restraining order). If there are clear signs of physical risk or threat, First Response Children's Duty should be updated and the Police should be contacted immediately.

APPENDIX 2

PROCESS FOR DEALING WITH ALLEGATIONS AGAINST STAFF (INCLUDING THE HEAD) AND VOLUNTEERS AND CONTRACTORS

These procedures should be followed in all cases in which there is an allegation or suspicion that a person working with children has:

- behaved in a way that has harmed a child or may have harmed a child.
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

There is also a school "Low-level concerns policy" which should be followed if the concern does not meet the allegations threshold above or is not considered serious enough to make a referral to the LADO.

Relevant documents:

- 1) "Keeping children safe in education 2022": Statutory guidance for schools and colleges" (part 4: Allegations made against/concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors).

2) Individual Staff/Volunteers/Other Adults who receive the allegation:

- i. Write and sign a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Report this immediately to the Head. If there is a conflict of interest in reporting a concern to the Head this concern should be reported directly to the LADO
- iii. Pass on the written record.
- iv. If the allegation concerns the conduct of the Head, report immediately to the Chair of Trustees. Pass on the written record. (If there is difficulty reporting to the Chair of Trustees, contact the Allegations Manager (LADO).

- iv. Before taking further action notify and seek advice from the Allegations Manager (LADO), Safeguarding and Improvement Unit on the same day.
- v. You may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation.
- vi. Report to First Response Children's Duty if the Allegations Manager (LADO) so advises or if circumstances require a referral concerning a child.
- vii. Ongoing involvement in cases:
 - Liaison with the Allegations Manager (LADO)
 - Co-operation with the investigating agency's enquiries as appropriate.
 - Consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.
 - Possible referral to the DBS or The Teaching Regulation Agency, depending on the outcome.

3) Head (or Chair of Trustees)

- i. If there is no written record, write and sign a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Before taking further action notify and seek advice from the Allegations Manager (LADO), Safeguarding and Improvement Unit on the same day.
- iii. You may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation.
- iv. Report to First Response Children's Duty if the Allegations Manager (LADO) so advises or if circumstances require a referral concerning a child.
- v. Ongoing involvement in cases:
 - Liaison with the Allegations Manager (LADO)
 - Co-operation with the investigating agency's enquiries as appropriate.
 - Consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.
 - Possible referral to the DBS or The Teaching Regulation Agency, depending on the outcome.

APPENDIX 3

Low-level Concerns Policy

1.0 Purpose

- 1.1 This policy sets out a framework whereby staff are expected to report concerns, no matter how small, about their own behaviour or that of another member of staff, volunteer, supply teacher, contractor or other person working in school. Its purpose is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in the “Guidance for safer working practice for those working with children and young people in education settings” February 2022 and Keeping Children Safe in Education September 2022 are lived, monitored and reinforced. Oakham School is keen to create an environment where staff are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.
- 1.2 The policy should be read in conjunction with the current statutory guidance – “Keeping Children Safe in Education” 2022 Part 4, Section 2.

2.0 Who does the policy apply to?

- 2.1 This policy applies to all staff and other individuals who work or volunteer in school

3.0 Definition of a low-level concern

- 3.1 A low-level concern is any concern, no matter how small, even if no more than causing a sense of unease or a ‘nagging doubt’, that a person working in or on behalf of the School may have acted in a way that:
- is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work and
 - does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

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

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating pupils

4.0 Reporting low-level concerns

- 4.1 Where a low-level concern has been identified this will be reported as soon as possible to the **DSL**. However, it is never too late to share a low-level concern if this has not already happened.
- 4.2 Where the DSL is not available, the information will be reported to the Safeguarding Co-Ordinator i.e. the Senior Deputy Designated Safeguarding Lead.
- 4.3 Low-level concerns about the Designated Safeguarding Lead will be reported to the Head and those about the Head will be reported to the Chair of Trustees.
- 4.4 Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Head of the details in a timely fashion according to the nature of each particular low-level concern. The Head should be the ultimate decision maker in respect of all low-level concerns. In the majority of cases the Head will consult with the DSL and take a collaborative decision making approach.
- 4.5 Low-level concerns which are shared about supply staff and contractors will be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

5.0 Recording concerns

- 5.1 A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward. The record should include details of the concern, the context in which the concern arose, and action taken. If the individual wishes to remain anonymous then that will be respected as far as reasonably possible
- 5.2 Where concerns are reported verbally to the DSL a record of the conversation will be made by the DSL which will be signed, timed, and dated.

6.0 Responding to low-level concerns

- 6.1 Where a low-level concern has been raised this will be taken seriously and dealt with promptly. The DSL will:
 - Speak to the person reporting the concern to gather all the relevant information
 - Speak to the individual about the concern raised to ascertain their response, unless advised not to do so by the LADO or Police (HR advice may also need to be taken).
 - Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to any potential witnesses.
 - If the concern has been raised via a third party, the DSL will collect as much evidence as possible by speaking directly to the person who raised the concern, unless it has been raised anonymously. The DSL will speak to the individual involved and any witnesses.
 - The information reported and gathered will then be reviewed to determine whether the behaviour,
 - i) is consistent with the “Guidance for safer working practice for those working with children and young people in education settings” (Feb 2022): no further action will be required,
 - ii) constitutes a low-level concern: no further action is required, or additional training/guidance/support may be required to rectify the behaviour via normal day to day management processes. The employee should understand that

failure to improve or a repeat of the behaviour may lead to further action being taken, e.g., either via the Capability Policy or Disciplinary Policy.

iii) is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and advice taken from HR. In this case the school's Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed.

iv) when considered with any other low-level concerns that have previously been raised about the same individual, could be reclassified as an allegation and referred to the LADO or Police: a referral may be made to the LADO and advice taken from HR. In this case the school's Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed in line with KCSIE part 4

Records will be made of, i) all internal conversations including any relevant witnesses, ii) all external conversations e.g., with the LADO iii) the decision and the rationale for it, iv) any action taken.

The following guidance will be used to support the decision making:

Allegation Behaviour which indicates that an adult who works with children 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.

Low level Concern Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult may have acted in a way that:

- is inconsistent with an organisation's Staff Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold or is otherwise not serious enough to consider a referral to the LADO -but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

Appropriate Conduct Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

Farrer & Co Sept 2021 Developing and implementing a low-level concerns policy: a guide for organisations which work with children. Appendix C Diag 1 spectrum of behaviour.

7.0 Can the reporting person remain anonymous?

7.1 The person bringing forward the concern will be named in the written record. Where they request to remain anonymous this will be respected as far as possible. However, there may be circumstances where this is not possible e.g. Where a fair disciplinary investigation is needed or where a later criminal investigation is required.

8.0 Should staff report concerns about themselves (i.e. Self-report)?

- 8.1 It may be the case that a person finds themselves in a situation which could be misinterpreted or might appear compromising to others; or they may have behaved in a manner which on reflection they consider falls below the standard set out in the “Guidance for safer working practice”.

In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

9.0 Where behaviour is consistent with the “Guidance for safer working practice” (Feb 2022)

- 9.1 Feedback will be given to both parties to explain why the behaviour was consistent with the “Guidance for safer working practice”.

10.0 Should the low-level concerns file be reviewed?

- 10.1 The records will be reviewed periodically, and whenever a new low-level concern is added so that the potential patterns of concerning, problematic or inappropriate behaviour can be identified and referred to the LADO if required.

A record of these reviews will be retained.

Consideration will also be given to whether there are wider cultural issues within the school or college that enabled the behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

11.0 References

- 11.1 Low-level concerns will not be included in references unless a low-level concern, or group of concerns, has met the threshold for referral to the LADO and found to be substantiated.

12.0 What is the role of the Trustee Body?

- 12.1 The Head will regularly inform the Trustee Body about the implementation of the low-level concerns policy including any evidence of its effectiveness e.g. with relevant data. The Safeguarding Trustee may also review an anonymised sample to ensure that these concerns have been handled appropriately.

Appendix 4

Process for dealing with Child-on-child abuse

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL without delay so that a course of action can be agreed, (this can be done via CPOMS, initially).

If a child speaks to a member of staff about child-on-child abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding and support and must be non-judgmental.

If a pupil is in immediate danger, or at risk of significant harm, a referral to children's social care (if the pupil is aged under 18) and/or the police should be made immediately.

Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made.

How Oakham School respond to concerns or allegations of Child-on Child abuse?

The DSL will discuss the concerns or allegations with the member of staff who has reported them and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

The DSL will always use their professional judgement to: (a) assess the nature and seriousness of the alleged behaviour and (b) determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases the DSL may consult with children's social care and/or any other external agencies on a no-names basis.

Where the DSL considers or suspects that the behaviour in question might be abusive or violent on a spectrum (as opposed to inappropriate or problematic), the DSL should contact Leicester and Rutland MASH team immediately, and in any event within 24 hours of the DSL becoming aware of it. The DSL will discuss the allegations/concerns with the MASH team and agree on a course of action, which may include:

- A- Manage internally with help from external specialists where appropriate and possible.
- B- Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of a child/children and their family. These services may, for example, include family and parenting programmes, responses to emerging thematic concerns in extra familial contexts, a specialist harmful sexual behaviour team, CAMHS and/or youth offending services.
- C –Refer child/children to children's social care for a section 17 and/or 47 statutory Assessment.
- D –Report alleged criminal behaviour to the Police and refer to “when to call the police guidance” from the NPCC (Alleged criminal behaviour will ordinarily be reported to the Police. However, there are some circumstances where it may not be appropriate to report such behaviour to the Police. For example, where the exchange of youth produced sexual imagery does not involve any aggravating factors. All concerns/allegations will be assessed on a case-by-case basis, and in light of the wider context.

Individual risk assessment

Where there is an incident of Child-on-Child abuse, Oakham School will carry out robust risk assessment in respect of each child affected by the abuse. These risk assessments will:

Assess and address the nature and level of risks that are posed and/or faced by the children involved.

- Engage the child's parents and draw upon local services and agencies to ensure that the child's needs are met in the long-term
- Consider whether any targeted interventions are needed to address the underlying attitudes or behaviour of any child
- Be reviewed at regular intervals in light of the child's on-going needs to ensure that real progress is being made which benefits the child.
If at any stage the child's needs escalate, the DSL should contact Leicester and Rutland MASH team to determine the appropriate course of action.

Disciplinary action

Oakham School will consider whether disciplinary action may be appropriate for any child/children involved any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate including:

(a) to ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour.

(b) to demonstrate to the child/children and others that peer-on-peer abuse can never be tolerated.

(c) to ensure the safety and wellbeing of other children.

However, these considerations will be balanced against the child's/children's own potential unmet needs and any safeguarding concerns.

Before deciding on appropriate action, Oakham School will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the peer-on-peer abuse and the causes of it.

Oakham School will, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required. Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other children in school.

Disciplinary interventions alone are rarely able to solve issues of Child-on-Child abuse, and the School will always consider the wider actions that may need to be taken and any lessons that may need to be learnt going forward.

On-going proactive work to a contextual whole-school approach.

Oakham School's response to concerns/allegations of Child-on-Child abuse should be part of ongoing proactive work by the School to embed best practice and take a contextual whole school approach to such abuse.

As such Oakham School's response can become part of its wider prevention work. This response may include the school asking itself a series of questions about the context in which an incident of Child-on-Child abuse occurred in the Oakham School and the wider physical and online environment - such as:

- (a) What protective factors and influences exist within Oakham School (such as positive peer influences, examples where Child-on-Child abuse has been challenged etc.) and how can the School improve these?
- (b) How (if at all) the school's physical environment contributes to the abuse, and how can the Oakham School address this going forwards, for example by improving the School's safety, security and supervision?
- (c) Did wider gender norms, equality issues and/or societal attitudes contribute to the abuse?
- (d) What was the relationship between the abuse and the cultural norms between staff and pupils, and how can these be addressed going forwards?
- (e) Does the abuse indicate a need for staff training on, for example, underlying attitudes, a particular issue or the handling of particular types of abuse?
- (f) How have similar cases been managed in the past and what effect has this had?
- (g) Does the case or any identified trends highlight areas for development in the way in which the School works with children to raise their awareness of and/or prevent Child-on-Child abuse, including by way of Oakham School's PSHE curriculum and lessons that address underlying attitudes or behaviour such as gender and equalities work?
- (h) Are there any lessons to be learnt about the way in which the School engages with parents to address Child-on Child abuse.
- (i) Are there underlying issues that affect other schools in the area, or other independent schools generally, and is there a need for a multi-agency response?
- (j) Does this case highlight a need to work with certain children to build their confidence and teach them how to identify and manage abusive behaviour?
- (k) Were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other children in the school?

Answers to these questions can be developed into an action plan that is reviewed on a regular basis by Oakham School leadership particularly the Senior Deputy Head and Deputy Head (pastoral)

Child-on-child sexual violence and sexual harassment

All staff working with children are advised to maintain an attitude of 'it could happen here', and this is especially important when considering child-on-child abuse.

Sexual violence and sexual harassment can occur between two or more children of any age and sex. It can occur also through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally) and are never acceptable.

Oakham School adopts a zero-tolerance approach to sexual violence and sexual harassment. Any report of child-on-child sexual violence or sexual harassment will be taken seriously, and a victim of such behaviour can be reassured that they will be supported and kept safe. As a School we recognise that it is never acceptable, and it will not be tolerated. It will never be passed off as “banter”, “just having a laugh”, “a part of growing up” or “boys being boys. The School recognises, acknowledges, and understands the scale of harassment and abuse and that even if there are no reports it does not mean it is not happening, it may be the case that it is just not being reported.

We will challenge any form of **Sexual harassment** which can include:

- physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts.
- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names
- sexual “jokes” or taunting
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes
- coercing others into sharing images of themselves or performing acts they’re not comfortable with online.

Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Sexual violence

Oakham School is aware of sexual violence and the fact children can, and sometimes do, abuse other children in this way and that it can happen both inside and outside of school.

Sexual violence is defined under the Sexual Offences Act 2003 as:

- Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (NOTE- Schools and colleges should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone’s bottom/breasts/genitalia without consent, can still constitute sexual assault.)

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

Responding to reports of sexual violence and sexual harassment.

Pupils are encouraged to use a trusted adult which could be their HM, tutor, matron, link nurse or any member of staff to report any act of sexual harassment or violence. They may also report anonymously online using **whisper**. Their concerns will always be treated seriously.

Decisions are made on a case-by-case basis, with the Designated Safeguarding Lead (or a Deputy) taking a leading role and using their professional judgement, supported by other agencies, such as local authority children’s social care and the police as required. Where a crime has been committed, the Police will always be involved to support the School in supporting all the pupils involved. Their stated aim is to help educate young people not criminalise them.

Risk assessment

When there has been a report of sexual violence, the Designated Safeguarding Lead (or a Deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment for a report of sexual violence will consider:

- the victim, especially their protection and support
- whether there may have been other victims
- the alleged perpetrator(s)
- all the other children, (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms, and
- The time and location of the incident, and any action required to make the location safer.

Risk assessments will be recorded (paper or electronic) and kept under review.

APPENDIX 5

Early Years Foundation Stage (EYFS) and Looked After Children

At this time Oakham School has no “looked after” children or “Early Years” children.

APPENDIX 6

Safeguarding pupils who are vulnerable to extremism and radicalisation

Oakham School recognises the duties placed on us by the Counter Terrorism Bill (July 2015) to prevent our pupils being drawn into terrorism.

These include:

- Assessing the risk of pupils being drawn into terrorism (see Appendix 5)
- Working in partnership with relevant agencies under the Safeguarding Children Partnership procedures
- Appropriate staff training
- Appropriate online filtering

Oakham School is committed to actively promoting the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. The pupils are encouraged to develop and demonstrate skills and attitudes that will allow them to participate fully in and contribute positively to life in modern Britain.

There is a current threat from terrorism in the UK and this can include the exploitation of vulnerable young people, aiming to involve them in terrorism or to be active in supporting terrorism.

Our school seeks to protect children and young people against the messages of all violent extremism including but not restricted to those linked to Islamist Ideology, Far Right / Neo Nazi / White Supremacist ideology etc. Concerns should be referred to the Designated Safeguarding Lead or Head who have local contact details for Prevent and Channel referrals. They will also consider whether circumstances require Police to be contacted.

APPENDIX 7

Female Genital Mutilation

Section 5B of the Female Genital Mutilation Act 2003 and section 74 of the Serious Crime Act 2015 places a mandatory duty on teachers along with social workers and healthcare professionals to report to the police where they discover that FGM appears to have been carried out on a girl under 18 or where a girl discloses that she has undergone FGM. The School's response to FGM will take into account the government guidance, "Multi-agency statutory guidance on female genital mutilation" April 2016. Staff will also follow the established safeguarding procedure by reporting any such concerns to the Designated Safeguarding Lead and a report must also be made to the Police.

There will be a considered safeguarding response towards any girl who is identified as being at risk of FGM (e.g., there is a known history of practising FGM in her family, community or country of origin) which may include sensitive conversations with the girl and her family, sharing information with professionals from other agencies and/or making a referral to Children's Social Care. If the risk of harm is imminent there are a number of emergency measures that can be taken including police protection, an FGM protection order and an Emergency Protection Order.

APPENDIX 8

Indicators of abuse and neglect

Abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

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

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

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

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

Appendix 9

NMS and Boarding

This appendix is consistent with, and uses the guidance outlined in the National Minimum Standards for Boarding Schools September 2022.

Oakham School recognises the specific need to ensure that there are additional factors to consider when safeguarding boarding pupils.

All boarding and day pupils are made aware of the School's policy on sexual relationships. Boarders and day pupils discuss this with their Housemasters/housemistresses (HMs) to ensure they understand the policy and the consequences of not adhering to it.

The School deals robustly with Child-on-Child abuse and is mindful of the additional risks with children sharing overnight accommodation. Care is taken to ensure senior pupil mentors support boarders and that regular one-to-one conversations take place with staff who act as a listening ear to pick up any issues quickly. Whisper is also available as an anonymous online reporting tool for pupils.

All pupils, including boarders, are educated on the issues of downloading harmful content on electronic devices. This is both from a pastoral and legal point of view. The School has clear rules and expectations regarding the times when electronic devices may be used and what they are used for. These are age specific and designed to support Oakham School's digital resilience education programme.

Boarders and day pupils are supervised at all times by well-trained staff. Boarding pupils are encouraged to form positive relationships with fellow pupils within the boarding community, with day pupils and staff. These relationships are based on mutual trust and respect. Oakham School recognises that it is important that there is no inappropriate one-to-one contact or favouritism that takes place between staff and pupils. Some areas of the private sides of boarding houses are used on occasion, to support the development of positive relationships. These can include for example, year group/ small group hot chocolate evenings, cooking or prefect meetings, which may take place in an HMs private side kitchen or living room. In addition, some HMs' studies currently sit on the private side of houses but are as close to the entrance to the boarders' side as possible. When any pupil is in the HM's study, the door to the boarding side of the house will remain open.

Oakham School has allocated only the following areas in each boarding house which are on the private side but can be used by pupils and staff to ensure the better running and welfare of the house.

Buchanans: HM's Study and kitchen and sitting room

Chapmans: HM's Study, kitchen and sitting room

Haywoods HM's Study, kitchen and sitting room

Rushebrookes HM's kitchen and sitting room

Stevens: HM's kitchen and sitting room

Wharflands: HM's Study, kitchen and sitting room

Round House, School House and Hodges all have suitable areas within the house to avoid the need to use the private side of the HMs house.

House gardens in all boarding houses are seen as shared areas for boarding pupils and house staff.

In addition, the Head's House (Deanscroft) is used to host groups of pupils for events such as breakfast, break meetings, or pizza evenings. All pupils are invited in advance and attend in groups typically of 10-15. In addition, the School Prefect Body (Decem) meets weekly at Deanscroft at break-time with 2-3 other staff also typically in attendance. Pupils use the Sitting Room, or Dining Room for all such events, with brief access to the kitchen, all of which are downstairs and public spaces.

Oakham school also recognises that some pupils also live on the private side houses as they are children of the HM. At times boarding and day pupils may visit their friends who live on the private side of a boarding house in line with NMS 20.10 footnote 44. Should this be an overnight stay the HM will ensure that the DSL is notified.

DSL Team

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Childline can also give confidential help and advice. Calls to 0800 1111 are free or children can [get support online](#).

HWFP, SJG, PL, August 2022

Review date: August 2023

