



The Winston Churchill School

CHILD PROTECTION AND SAFEGUARDING POLICY

Review by:	SLT/Child Protection Team
Adopted by the Full Governing Body:	
Next review:	September 2024

Headteacher: Mrs Zoë Johnson-Walker

Governor Lead: Gillian Buxton

Nominated Lead Members of Staff: Joanne Mellor & Janet Sigrist

Chair of Governors: David Barter

The Governing body takes seriously its responsibilities under section 175/157 of the Education Act 2002 to safeguard and promote the welfare of children; and to work together with other agencies to ensure clear arrangements within our school to identify, assess, and support those children who are suffering harm are in place. This is in addition to The School Staffing (England) Regulations, which set out what must be recorded on the single central record and the requirement for at least one person conducting an interview to be trained in safer recruitment.

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Safeguarding Statement 2023

'Safeguarding is everyone's business'

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all children. We make every effort to provide an environment in which children and adults feel safe, secure, valued and respected, and feel confident to talk if they are worried, believing they will be effectively listened to.

Key Personnel

Senior Designated Safeguarding Leads (DSL) are: Mrs Joanne Mellor and Ms Janet Sigrist

The Deputy Designated Safeguarding Lead is: Mrs Natalie Cotter

Contact details: dsl@wcsc.org.uk
01483 476861

The nominated safeguarding governor is: Mrs Gillian Buxton
Contact details: g.buxton@wcsc.org.uk

The Headteacher is: Mrs Zoe Johnson-Walker
Contact details: z.johnsonwalker@wcsc.org.uk
01483 476861

The Chair of Governors is: Mr David Barter
Contact details: d.barter@wcsc.org.uk

Terminology

Safeguarding and promoting the welfare of children is defined as:

- protecting children from abuse and maltreatment.
- preventing impairment of children's mental and physical health or development.
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- taking action to enable all children to have the best outcomes.

Child Protection is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

Early Help means providing support as soon as any needs emerge or are identified at any point in a child's life.

Staff refers to all those working for or on behalf of the school, full or part time, temporary or permanent, in either a paid or voluntary capacity.

Child(ren) includes everyone under the age of 18. On the whole, this will apply to **students** at our school; however, the policy will extend to visiting children and students from other establishments

Parents refers to birth parents and other adults who are in a parenting role, for example stepparents, foster carers and adoptive parents.

Social Care refers to Children's Services in the area in which the child is resident, unless a child is a Child Looked After then this will be the Children's Services in their home authority.

MAP refers to the Surrey Multi-Agency Partnership.

C-SPA refers to the Children's Single Point of Access

DSL where appropriate also refers to the Deputy Designated Safeguarding Lead (**DDSL**)

Introduction

This policy has been developed in accordance with the principles established by the Children Acts 1989 and 2004; the Education Act 2002 (as amended), and the Apprenticeships, Skills, Children and Learning Act 2009 (as amended).

All action taken by The Winston Churchill School will be in accordance with statutory and local guidance, including:

- [Working Together to Safeguard Children \(2018\)](#)
- ['What to do if you are Worried a Child is Being Abused' 2015 - Advice for Practitioners](#)
- [Keeping Children Safe in Education \(KCSIE, 2023\)](#)
- [Local Guidance from the Local Safeguarding Partnership: Surrey Safeguarding Children Partnership \(SSCP\) including SSCP Procedures.](#)

The Winston Churchill School recognises that all adults, including temporary staff, volunteers and governors, have a full and active part to play in protecting our students from harm, and that the child's welfare is our paramount concern. This policy applies to all members of staff and governors in the school.

Guidance and documents referred to in this policy:

- [Surrey Safeguarding Children Partnership protocols, guidance and procedures](#)
- [Working Together to Safeguard Children 2018](#)
- [Keeping Children Safe In Education 2023](#)
- [Disqualification under the Childcare Act 2006 \(updated 2019\)](#)
- [FGM Act 2003 Mandatory Reporting Guidance 2015 \(updated January 2020\)](#)
- ['What to do if you are worried a child is being abused' 2015](#)
- [Teachers' standards](#)
- [Information sharing advice for safeguarding practitioners](#)
- [The Equality Act 2010](#)
- [Early years foundation stage \(EYFS\) statutory framework](#)
- SCC Safeguarding Children Missing Education (CME) and Educated Other Than at School (EOTaS) – available on [Surrey Education Services \(Education Safeguarding Team Resources Hub\)](#)
- SCC Touch and The Use Of Physical Intervention When Working With Children And Young People – available on [Surrey Education Services \(Education Safeguarding Team Resources Hub\)](#)

This policy should be read in conjunction with the following policies:

Behaviour

Attendance

Anti-bullying

Equality

Relationships, Sex and Health Education

Online Safety

Staff Code of Conduct

Safer Recruitment

Health & Safety

Managing allegations against staff

Whistleblowing

Equalities Statement

With regards to safeguarding we will consider our duties under the Equality Act 2010 and our general and specific duties under the Public Sector Equality Duty. General duties include:

Eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act 2010.

Advance equality of opportunity between people who share a protected characteristic and people who do not share it.

Foster good relations across all protected characteristics between people who share a protected characteristic and people who do not share it.

Details of our specific duties are published in The Winston Churchill School Equality Policy statement with measurable objectives. These are available on our website.

Staff are aware of the additional barriers to recognising abuse and neglect in children with Special Educational Needs and Disabilities (SEND). This will be in line with our SEND and Inclusion Policy.

The Winston Churchill School also adheres to the principals of and promotes anti-oppressive practice in line of the United Nations Convention of the Rights of the Child and the Human Rights Act 1998.

Policy Aims

- To provide a caring, positive, safe and stimulating environment that supports and promotes the social, academic, physical and moral development of each and every child at The Winston Churchill School.
- To provide an environment in which children and adults feel safe, secure, valued and respected, and feel confident to talk if they are worried, believing they will be effectively listened to.
- To provide staff, volunteers and governors with the framework they need in order to keep children safe and secure in The Winston Churchill School, ensuring consistent good practice.
- To inform parents and carers how we will safeguard their children whilst they are in our care.

Objectives

- To support the child's development in ways that will foster security, confidence and independence.
- To ensure the welfare of the child is paramount.
- To maintain an attitude of "It could happen here".
- Maintain a zero-tolerance approach to sexual violence and harassment.
- To raise the awareness of all teaching and non-teaching staff of the need to safeguard children and of their responsibilities in identifying and reporting possible

cases of abuse. To develop and promote effective working relationships, including the sharing of information with professional colleagues and agencies, especially The Surrey Safeguarding Children's Partnership (SSCP) – NW Surrey Clinical Commissioning Group, the Police and Social Care.

- To ensure that all staff working within our school have an enhanced DBS check, kept on the SCR and reviewed and risk assessed by the Headteacher.
- We comply with the Disqualification under the Childcare Act 2006 guidance issued in February 2015, updated 2018.

Supporting Children

We recognise that our school may provide a safe place and stability in the lives of children who have been abused or who are at risk of harm. We recognise that a child who is abused or who witnesses violence may feel helpless and humiliated, may blame themselves, and find it difficult to develop and maintain a sense of self-worth.

Research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

We recognise that the school plays a significant part in the prevention of harm to our children by providing children with good lines of communication with trusted adults, supportive friends and an ethos of protection.

The Winston Churchill School will therefore:

- work to establish and maintain an ethos where children feel secure and are encouraged to talk and are always listened to;
- maintain a culture where children know they will be heard; where a concern will be taken seriously and where there is no shame attached to a report;
- include regular consultation with children e.g. through safety questionnaires, participation in anti-bullying week, Be Smart Be Safe Days etc
- ensure that all children know there are adults in the school whom they can approach if they are worried or in difficulty.
- include safeguarding across the curriculum, in Winston Extra, and provide PSHCE opportunities which equip children with the skills they need to stay safe from harm and to know to whom they should turn for help. In particular this will include anti-bullying work, online safety, RSHE and empowerment workshops, road safety, personal safety and first aid.
- ensure all staff are aware of school guidance for their use of mobile technology and have discussed safeguarding issues around the use of mobile technologies and their associated risks.

The Winston Churchill School will support all children by:

- promoting a caring, safe and positive environment within the school.
- encouraging self-esteem and self-assertiveness, through the curriculum and through fostering positive relationships within our community.
- recognising that they are capable of abusing their peers. Any report of child-on-child abuse will not be passed off as 'banter' or as 'part of growing up'.
- teaching students about how they can keep themselves and others safe, including online. To be effective, we present this information in an age-appropriate way. We are sensitive to the specific needs and vulnerabilities of individual children, including children who are victims of abuse, and children with special educational needs or disabilities.

- teaching them to understand and manage risk through our PSHCE education and Relationship, Sex and Health Education (RSHE) and through all aspects of school life.
- Ensuring all members of staff maintain a zero-tolerance approach to sexual violence and sexual harassment.
- ensuring children are made aware of and have access to details of helplines, counselling or other avenues of external support. We do this at Winston through our 'Pathways Out' strategy.
- liaising and working together with all other support services and those agencies involved in the safeguarding of children.
- notifying C-SPA as soon as there is a significant concern.
- providing continuing support to a child about whom there have been concerns who leaves the school by ensuring that appropriate information is copied under confidential cover to the child's new setting and ensuring the school medical records are forwarded as a matter of priority.
- complying with a section 47 investigation carried out by the police and social services, although parents may not be aware of the allegations.
- complying with investigations into 'so-called' honour crimes, although parents may not be aware of the allegations.
- providing preventative education by creating a culture of zero tolerance for sexism, misogyny/ Misandry, homophobia, biphobia and sexual violence and sexual harassment.
- ensuring all members of staff are trained in and receive regular updates in online e-safety and reporting concerns.
- the designated safeguarding lead will consider if it would be appropriate to share any additional information with the new school or college in advance of a child leaving to help them put in place the right support to safeguard this child and to help the child thrive in the school or college. For example, information that would allow the new school or college to continue supporting children who have had a social worker and been victims of abuse and have that support in place for when the child arrives.
- Recognising that we play a significant part in the prevention of harm to our children by providing children with good lines of communication with trusted adults, supportive friends and an ethos of protection.

The Winston Churchill School will ensure that:

- the names of the designated members of staff for Child Protection, the Designated Safeguarding Lead and deputies, and photos of the Safeguarding Team (DSLs) will be clearly advertised in school and on FROG with a statement explaining the school's role in referring and monitoring cases of suspected abuse.
- the school operates safer recruitment procedures in line with KCSIE 2023 which includes statutory checks on the suitability of staff to work with children.
- all new members of staff, governors and volunteers with child protection information at induction, included in their arrival pack, the school safeguarding statement of procedures so that they know how to report a concern and who to discuss a concern with.
- all new members of staff will be given a copy of our safeguarding statement, and Child Protection policy, with the DSLs' names clearly displayed, as part of their induction into the school.
- all staff and governors, have child protection awareness training, updated by the DSLs as appropriate, to maintain their understanding of the signs and indicators of abuse.

- all members of staff, volunteers, and governors know how to respond to a student who discloses abuse through delivery of 'Working together to Safeguard Children', and 'What to do if you suspect a Child is being Abused' (2015).
- all parents/carers are made aware of the responsibilities of staff members with regard to child protection procedures through publication of the school's Child Protection Policy.
- the school's lettings policy will seek to ensure the suitability of adults working with children on the school site at any time and ensure that any groups who use our premises have safeguarding and child protection policies and procedures in place.
- community users organising activities for children are aware of the school's child protection guidelines and procedures.
- that child protection concerns or allegations against adults working in the school are referred to the LADO¹ for advice, and that any member of staff found not suitable to work with children will be notified to the Disclosure and Barring Service (DBS)² for consideration for barring, following resignation, dismissal, or when we cease to use their service as a result of a substantiated allegation, in the case of a volunteer.
- our procedures will be regularly reviewed and up-dated.
- The policy is available publicly on the school website. Parents/carers are made aware of this policy and their entitlement to have a copy of it via the school website
- All staff will be given a copy of part 1 of Keeping Children Safe in Education 2022 and will sign that they have read and understood it. Those working directly with children will also read Annex B. Similarly, this applies to the Governing Body in relation to part 2 of the same statutory guidance.

Professional expectations, roles and responsibilities

All School Staff

All School Staff have a key role to play in identifying concerns and in providing help for children. To achieve this, they will:

- maintain an attitude of “It could happen here” with regards to safeguarding.
- understand that safeguarding is everyone’s responsibility.
- maintain a ‘zero-tolerance’ approach to sexual violence and sexual harassment.
- provide a safe environment in which children can learn.
- establish and maintain an environment where children feel secure and are encouraged to talk and are listened to.
- understand that it is everyone’s responsibility to safeguard and promote the welfare of children and that they have a role to play in identifying concerns, sharing information and taking prompt action. It should be remembered that sometimes children will not feel ready or know how to tell someone that they are being abused, exploited or neglected and/or they may not recognise their experiences as harmful.
- understand that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk or suffering abuse, neglect or exploitation. The Senior Mental Health Lead is Janet Sigrist (also DSL).
- know how to respond to a student who discloses abuse through delivery of ‘Working together to Safeguard Children’ (2018), and ‘What to do if you suspect a Child is being Abused’ (2015)
- consider, at all times, what is in the best interests of the child
- refer any safeguarding or child protection concerns to the DSL safeguarding team or if necessary where the child is at immediate risk to the Children’s Single Point of Access (C-SPA) and /or the police;
- understand early help and be prepared to identify and support children who may benefit from early help. Liaise with other agencies that support children and provide early help.
- provide support for children subject to Early Help, Child in Need or Child protection that is in keeping with their plan
- treat information with confidentiality but never promise to keep a secret
- have an awareness of the role of the DSL, the school’s Child Protection Policy, Behaviour Policy and Staff Code of Conduct, and procedures relating to the safeguarding response for children who go missing from education
- follow the allegations procedures if the disclosure is an allegation against a member of staff.
- report low-level concerns (as defined in KCSIE 2023) about any member of staff/supply staff or contractor to the Headteacher.
- be mindful that the Teacher Standards states that teachers should safeguard children’s wellbeing and maintain public trust in the teaching profession as part of their professional duties and assist the Headteacher in fulfilling their statutory safeguarding responsibilities.

The Headteacher

In addition to the role and responsibilities of staff the Headteacher will ensure that:

- the Child Protection and Safeguarding Policy and procedures being implemented and followed by all staff.

- the school fully contributes to inter-agency working in line with Working Together to Safeguarding Children 2018 guidance.
- that there are appropriate policies in place that make it clear that sexual harassment, online sexual abuse and sexual violence (including sexualised language) is unacceptable, with appropriate sanctions and support in place.
- that the school staff (including governors) have appropriate knowledge of KCSIE 2023, part 5 guidance.
- that sufficient time, training, support, resources, including cover arrangements where necessary, is allocated to the DSLs and deputy DSL to carry out their roles effectively, including the assessment of students, attendance at strategy discussions and other necessary meetings.
- where there is a safeguarding concern that the child's wishes and feelings are taken into account when determining what action to take and what services to provide
- that child-centric systems are in place for children to express their views and give feedback which operate with the best interest of the child at heart.
- that all children are supported to report concerns about harmful sexual behaviour freely. That concerns are taken seriously and dealt with swiftly and appropriately and children are confident to report that this is the case. And that comprehensive records of all allegations are kept.
- students are being provided with opportunities throughout the curriculum to learn about safeguarding, including keeping themselves safe online.
- all staff feel able to raise concerns about poor or unsafe practice and that such concerns are dealt with in accordance with guidance from the DFE, SSCP and Surrey County Council and is handled sensitively and in accordance with the whistle-blowing procedures.
- Liaise with the "case manager" and Local Authority Designated Officer (LADO) for child protection concerns in cases which concern a member of staff/supply staff/contractor or a volunteer.
- that statutory requirements are met to make a referral to the Disclosure and Barring Service and additionally in the case of teaching staff the Teacher Regulation Agency where they think an individual has engaged in conduct that harmed (or is likely to harm) a child; or if the person otherwise poses a risk of harm to a child.
- Record low-level concerns in cases which concern a member of staff/supply staff/contractor or a volunteer. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that will be respected as far as reasonably possible.

The Senior Designated Safeguarding Lead:

In addition to the role and responsibilities of all staff, the DSLs will:

- hold the lead responsibility for safeguarding and child protection (including online safety and understanding the filtering and monitoring systems in place) working under the guidance of the Headteacher.
- encourage and promote a culture of listening to children and taking account of their wishes and feelings, amongst all staff.
- be alert to the specific needs of children in need, those with SEND and young carers.
- understand the importance of considering extra- familial harms in a child's life that may be a threat to their safety and/or welfare.
- understand the risks associated with online activity and be confident with up-to-date knowledge and capability to keep children safe whilst they are online at the setting; in

particular understand the additional risks that children with SEND face online and the associated and appropriate support they require.

- follow relevant DfE guidance and KCSIE 2023 on 'Child on Child Abuse' when a concern is raised that there is an allegation of a child abusing another child within the setting.
- make an immediate risk assessment following a report of sexual violence. Additionally, where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis and will be put in place as required.
- liaise with other agencies and professionals in line with Working Together to Safeguard Children 2015.
have a secure knowledge of SSCP procedures and understand the assessment process for providing early help and statutory intervention, in line with Surrey's Effective Family Resilience levels of need document.
- refer a child if there are concerns about possible abuse, to C-SPA (the Children's Single Point of Access) and act as a point of contact for staff to discuss concerns. Referrals should be made in writing, following a telephone call. Requests for support should be made securely by email to cspa@surreycc.gov.uk using the Request for Support Form. Urgent referrals should be made by telephone 0300 470 9100. Where necessary contact the Surrey's Child Protection Consultation Line for advice and support (0300 4709100 option 3).
- report concerns that a child may be at risk of radicalisation or involvement in terrorism, following the Prevent referral process and use the Prevent referral form to refer cases by e-mail to preventreferrals@surrey.pnn.police.uk. If the matter is urgent then Police must be contacted by dialling 999. In cases where further advice from the Police is sought dial 101 or 07795 043842 or 01865 555618 and ask to speak to the Prevent Supervisor for Surrey. The Department of Education has also set up a dedicated telephone helpline for staff and governors to raise concerns around Prevent (020 7340 7264).
- refer cases where a crime may have been committed to the Police as required. NB: NPCC- When to call the police should help DSLs understand when they should consider calling the Police and what to expect when they do.
- keep detailed and accurate written and/or electronic records of concerns about a child even if there is no need to make an immediate referral, recording rationale for decisions made and action taken.
- ensure that an indication of the existence of the additional safeguarding/child protection file is marked on the child's main file record.
- ensure that all such records are kept confidentially and securely and are separate from student records, until the child's 25th birthday, and are forwarded on to the child's next school or college. Only the Head teacher and DSLs will have access to these files.
- ensure that when a student leaves the school, their child protection file is passed to the new school (separately from the main student file) as soon as possible and within 5 days for an in-year transfer or within the first five days of the start of a new term, ensuring secure transit by delivery or special postal delivery and that confirmation of receipt is obtained.
- ensure a copy of the CP file will be retained by the school until such time that the new school acknowledges receipt of the original file. The copy can then be shredded.
- ensure that all appropriate staff members with working knowledge and understanding of their role attends case conferences, core groups, or other multi-agency planning meetings, contribute to assessments, and provide a report which has been shared with the parents.
- ensure that the case holding social worker is informed of any child currently with a child protection plan who is absent without explanation.

- organise child protection induction, and annual update training for all school staff.
- contribute to and provide, with the Headteacher and Chair of Governors, the biennial (s157 s 175) Statutory Audit for Safeguarding Arrangements and Termly Safeguarding Data Collections via PHEW to Surrey County Council
- report to the Headteacher any significant issues, for example, use of Surrey's FaST Resolution Process, enquiries under section 47 of the Children Act 1989 and Police investigations. This should include being aware of the requirement for children to have an Appropriate Adult. Further information can be found in the Statutory guidance - PACE Code C 2019.
- work with the Virtual School's Headteacher who has responsibility to promote the education of children who have a social worker.

The Deputy Designated Safeguarding Lead(s)

In addition to the role and responsibilities of all staff, the Deputy DSL will,

- be trained to the same standard as the Designated Safeguarding Leads and, in the absence of the DSL, carry out those functions necessary to ensure the ongoing safety and protection of students. In the event of the long-term absence of the DSLs the deputy will assume all of the functions above.

The Governing Body

All members of the Governing Body will complete appropriate safeguarding training to ensure that they can assure themselves that the safeguarding policies and procedures in place in school are effective. This will be regularly updated.

All members of the governing body understand and fulfil their responsibilities, namely to ensure that:

- there is a whole setting approach to safeguarding, involving everyone in the setting and ensuring that safeguarding, and child protection are at the forefront and underpin all relevant aspects of process and policy development.
- a nominated governor for safeguarding is identified.
- all members receive appropriate safeguarding and child protection (including online) training at induction. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in the setting are effective and support the delivery of a robust whole setting approach to safeguarding. Training should be regularly updated.
- ensure recruitment, selection and induction follow safer recruitment practice including all appropriate checks.
- the school has effective safeguarding policies and procedures including a Safeguarding and Child Protection Policy, a Code of Conduct, a Behaviour Policy and a response to children who go missing from education.
- 2 senior leaders have been appointed as the Senior Designated Safeguarding Leads (DSLs), and that this role is made explicit in their job description upon appointment, all DSLs undertake 'Surrey Safeguarding Children Partnership' training (SSCP Modules 1&2) and also undertake DSL 'New to Role' and the 'Update course' every 2 years.
- the Lead DSLs also attend the termly Surrey Network meetings as part of their expected training.
- staff have been trained appropriately and this is updated in line with guidance and all staff have read KCSIE (2023) part 1 and Annex B. Additionally, there are

mechanisms are in place to assist staff in understanding and discharging their roles and responsibilities as set out in the guidance.

- ensure that, as part of the requirement for staff to undergo regular updated safeguarding training, including online safety and the requirement to ensure children are taught about safeguarding, is integrated, aligned, and considered as part of the whole setting safeguarding approach and wider staff training and curriculum planning.
- the SSCP is informed in line with local requirements about the discharge of duties via the Biennial (s 157 s 175) Statutory Audit for Safeguarding Arrangements and Termly Safeguarding Data Collections via PHEW to Surrey County Council.
- all staff including temporary staff/supply staff, volunteers and contractors are provided with the school's Safeguarding and Child Protection policy statement and are directed to the CP Policy; if applicable the Staff Code of Conduct.
- take a proportionate risk-based approach to the level of information that is provided to temporary staff, volunteers and contractors.
- the school has procedures for dealing with allegations of abuse against staff (including the Headteacher), volunteers and contractors and to make a referral to the DBS and/or the Teaching Regulation Agency (as applicable), if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have had they not resigned.
- a member of the Governing Body (usually the Chair) is nominated to liaise with the LA on Child Protection issues and in the event of an allegation of abuse made against the Headteacher.
- policies are consistent with SSCP and statutory requirements and that policies and procedures are reviewed annually and that case reviews form part of school practice;
- the Child Protection policy is available on the school website.
- children are taught about safeguarding (including online safety) as part of a broad and balance curriculum covering relevant issues through PSHE and RSHE.
- alongside the school, governors will regularly review the effectiveness of filtering and monitoring systems in place to safeguard children online.
- the child's wishes and feelings are considered when determining what action to take and what services to provide.
- the school will comply with DfE and the Surrey County Council Policy Guidance for Safeguarding Children Missing Education and Education Other Than At School.
- clear systems and processes are in place for identifying possible mental health concerns, including routes to escalate and clear referral and accountability systems.
- ensure that safeguarding and child protection files are maintained as set out in KCSIE 2023 Annex C.
- enhanced DBS checks (without barred list checks unless the governor is also a volunteer at the school) are in place for all Governors.
- ensure section 128 checks are undertaken as defined in KCSIE 2023.
- ensure where Governing bodies hire or rent out school facilities/premises to organisations or individuals, they should ensure that appropriate arrangements are in place to keep children safe.

Confidentiality

We recognise that all matters relating to child protection will be treated as confidential and only shared as per the 'Information Sharing Advice for Practitioners' (DfE 2018) guidance. The school uses the guidance in the Data protection: toolkit for schools, 'GDPR and the Data Protection Act 2018' and 'Working Together to safeguard Children 2018'.

The Headteacher or DSLs will disclose any information about a child to other members of staff on a 'need to know' basis only.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and that the Data Protection Act 1998 and GDPR are not a barrier to sharing information where a failure to do so would place a child at risk of harm. There is a lawful basis for child protection concerns to be shared with agencies who have a statutory duty for child protection.

All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or wellbeing.

In the event of a concern, suspicion or disclosure the school will normally seek to discuss any concerns about a student with their parents. This must be handled sensitively. If required, we will always undertake to share our intention to refer a child to Social Care with their parents /carers unless to do so could put the child at greater risk of harm or impede a criminal investigation. If in doubt, we will consult with C-SPA (the Children's Single Point of Access) advice line.

Where there are concerns about forced marriage or 'so-called' honour based violence, parents should not be informed a referral is being made, as to do so may place the child at a significantly increased risk.

Supporting Staff

We recognise that staff working in the school who have become involved with a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.

We will support such staff by providing an opportunity to talk through their anxieties with the DSLs and to seek further support as appropriate. Members of the safeguarding team utilise supervision opportunities as required.

Child Abuse

What is child abuse?

The following definitions are taken from Working Together to Safeguard Children (2018). In addition to these definitions, it should be understood that children can also be abused by being sexually exploited, so-called honour-based abuse, forced marriage or female genital mutilation. To support the local context, all staff have access to Surrey's Effective Family Resilience and Levels of Need document.

Forms of abuse and neglect

Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children

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

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

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

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

We use the [Graded Care Profile 2](#) to support better identification and intervention in cases of neglect. The [Surrey Neglect Risk Assessment Tool](#) is used to support with the initial identification of neglect.

Further information on indicators of abuse can be accessed via the [NSPCC](#).

Child on Child Abuse

Sexual violence and sexual harassment between children in the setting

Sexual violence and sexual harassment can occur between children of any age and sex. It can occur through a single child or a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will find the experience stressful and distressing. This will, in all likelihood, adversely affect their education attainment as well as their emotional well-being. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are reassured that they are being taken seriously and that they will be supported and kept safe.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children, adults, and setting staff are supported and protected as appropriate.

Child-on-child abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying) abuse in intimate personal relationships between children (sometimes known as 'teenage relationship abuse')
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery) UKCIS guidance: Sharing nudes and semi-nudes advice for education settings
- 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).

We believe that all children have a right to attend our school and learn in a safe environment. Children should be free from harm by adults and other children in The Winston Churchill School.

We recognise that children are capable of abusing other children and their peers and this will be dealt with under our child protection policy and in line with KCSIE 2023.

We are clear that sexual violence and sexual harassment is not acceptable.

We will minimise the risk of child-on-child abuse by:

- making clear that there is a zero-tolerance approach to sexual violence and sexual harassment, 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”. We believe that failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse, leading to children accepting it as normal and not coming forward to report it.
- recognising, acknowledging, and understanding 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.
- challenging physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. As we believe that dismissing or tolerating such behaviours risks normalising them.

Prevention

- Taking a whole setting approach to safeguarding and child protection.
- Providing training to staff.
- Providing a clear set of values and standards, underpinned by the setting's behaviour policy and pastoral support; and by a planned programme of evidence-based content delivered through the curriculum.
- Engaging with specialist support and interventions.

Responding robustly to reports of sexual violence and sexual harassment.

Children making any report of sexual violence or sexual harassment including “upskirting” (The Voyeurism Offences Act 2019) will be taken seriously, kept safe and be well supported.

If the report includes an online element staff will be mindful of the Searching, screening and confiscation at school guidance.

The key consideration is for staff not to view or forward illegal images of a child. The guidance provides more details on what to do when viewing an image is unavoidable. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.

Risk Assessment

Following a report, the DSL will make an immediate risk and needs assessment on a case-by-case basis.

The risk assessment will consider;

- The victim, especially their protection and support.
- The alleged perpetrator, their support needs and any discipline action.
- All other children at the setting.

- The victim and the alleged perpetrator sharing classes and space at setting.
- The risk assessment will be recorded and kept under review.

Where there has been other professional intervention and/or other specialist risk assessments, these professional assessments will be used to inform the setting's approach to supporting and protecting children.

Action:

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the setting should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. It is important to explain that the law is in place to protect children rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them.

The DSL will consider:

- The wishes of the victim.
- The nature of the incident including whether a crime has been committed and the harm caused.
- Ages of the children involved.
- Developmental stages of the children.
- Any power imbalance between the children.
- Any previous incidents.
- That sexual violence and sexual harassment can take place within intimate personal relationships between children.
- Importance of understanding intra familiar harms and any necessary support for siblings following incidents
- Ongoing risks to victim, other children, adult students, or staff.
- Other related issues or wider context.

Confidentiality:

The victim may ask the setting not to tell anyone about the sexual violence or sexual harassment. If the victim does not give consent to share information, staff may still lawfully share it, if there is another legal basis under the UK GDPR that applies. The DSL should consider:

- parents or carers should normally be informed (unless this would put the victim at greater risk)
- the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care, and
- rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

The DSL will have to balance the victim's wishes against their duty to protect the victim and other children.

Options:

- Manage internally.
- Early help intervention.
- Request for support to the C-SPA.
- Report to the Police (generally in parallel with a request for support to the C-SPA).

All concerns, discussions, decisions and reasons for decision will be recorded on CPOMS.

Ongoing Response:

- The DSL will manage each case individually and will ensure the risk assessment is reviewed regularly with relevant partner agencies, for example the Police and social care.
- Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, settings should be aware of anonymity, witness support, and the criminal process in general so they can offer support and act appropriately.
- Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim.
- The DSL will consider how best to keep the victim and perpetrator a reasonable distance apart on the school premises and on transport where appropriate.
- Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the setting will take suitable action. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and may lead to the view that allowing the perpetrator to remain in the same setting would seriously harm the education or welfare of the victim (and potentially themselves and other children).
- Where a criminal investigation into sexual assault leads to a conviction or caution, the school will, if it has not already, consider any suitable sanctions in light of their behaviour policy, which may include consideration of permanent exclusion. Where the perpetrator is going to remain at the school, the Headteacher/Principal should continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on setting premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.
- The victim, alleged perpetrator and any other children and adults affected will receive appropriate support and safeguards on a case-by-case basis.
- The school will take any disciplinary action against the alleged perpetrator in accordance with the school's behaviour policy.
- The school recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions and will occur at the same time if necessary.

- The school will consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.
- The school recognises that children who have experienced sexual violence display a wide range of responses to their experiences including clear signs of trauma, physical and emotional responses, or no overt signs at all.

Physical abuse

While a clear focus of child-on-child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from children to children can also be abusive.

These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the Police.

The principles from the anti-bullying policy will be applied in these cases, with recognition that any Police investigation will need to take priority.

Harmful Sexual Behaviour (HSB)

Children's sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. HSB can occur online and/or face-to-face and can also occur simultaneously between the two. HSB will be considered in a child protection context and by categorising sexual behaviours, we work with other agencies to the same standardised criteria when making decisions, protecting children with a multi-agency approach. In doing so, we aim to:

- Make decisions about safeguarding children and young people;
- Assess and respond appropriately to sexual behaviour in children and young people;
- Understand healthy sexual development and distinguish it from harmful behaviour.

We recognise that it is vital that professionals agree on how behaviours should be categorised regardless of culture, faith, beliefs, and their own experiences or values.

Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

Child Sexual Exploitation (CSE)

CSE is a form of child sexual abuse. CSE can occur over time or be a one-off occurrence and may happen without the child's immediate knowledge for example through others sharing videos or images of them on social media. CSE can affect any child who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

Any concerns that a child is being or is at risk of being sexually exploited should be passed immediately to the DSL.

The school is aware there is a clear link between regular non-attendance and CSE. Staff will consider a child to be at potential CSE risk in the case of regular non-attendance at and make reasonable enquiries with the child and parents/carers to assess this risk.

All staff are aware that safeguarding incidents and/or behaviours can be associated with factors outside the setting and/or can occur between children outside of these environments. All staff, but especially the DSL will consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

In all cases if the DSL identifies any level of concern the DSL should contact the C-SPA and if a child is in immediate danger the Police should be called on 999.

The school is aware that often a child is not able to recognise the coercive nature of the abuse and does not see themselves as a victim. As a consequence, the child may resent what they perceive as interference by staff. However, staff must act on their concerns as they would for any other type of abuse. Children also rarely self-report CSE so staff must be particularly vigilant to potential indicators of risk.

The school includes the risks of sexual exploitation in the PSHE and RSE curriculum.

Child Criminal Exploitation (CCE) & Gangs

CCE occurs where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence.

The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

There are a number of areas in which children are put at risk by gang activity, both through participation in, and as victims of, gang violence which can be in relation to their peers or to a gang-involved adult in their household.

Criminal exploitation of children is a typical feature of county lines criminal activity. Key identifying features of involvement in county lines are when children are missing, when the victim may have been trafficked for transporting drugs, a referral to the National Referral Mechanism should be considered with Social Care and Police colleagues.

A child who is affected by gang activity, criminal exploitation or serious youth violence can be at risk of significant harm through physical, sexual and emotional abuse. Girls may be particularly at risk of sexual exploitation.

Staff are aware that there is a clear link between regular non-attendance at school and exploitation and will make reasonable enquiries with the child and parents to assess this risk.

At Winston Churchill School, we include the risks of sexual and criminal exploitation in the PSHE and RSHE curriculum, through Winston Extra and focussed workshops. Students are informed of the grooming process and how to protect themselves from people who may potentially be intent on causing harm. They are supported in terms of recognising and assessing risk in relation to CSE, including online, and knowing how and where to get help.

Domestic Abuse

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. It occurs regardless of race, ethnicity, gender, class, sexuality, age, religion, mental or physical ability. 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.

Domestic Abuse Act received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be “personally connected” (as defined in section 2 of the 2021 Act).

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

The Winston Churchill School is enrolled onto the Operation Encompass scheme, a joint project between Surrey Police, Surrey Domestic Abuse Service and Surrey settings. The system ensures that when the police are called to an incident of domestic abuse, where

there are children in the household who have experienced the domestic incident, the police will inform the DSL in the setting before the child or children arrive at the setting the following day. This ensures that the setting has up to date relevant information about the child's circumstances and can enable immediate support to be put in place, according to the child's needs.

Anti-Bullying/Cyberbullying

Our school policy on anti-bullying is set out in a separate document and acknowledges that to allow or condone bullying may lead to consideration under child protection procedures. It includes measures to prevent bullying. This includes all forms of bullying e.g. cyber, racist, homophobic and gender related bullying.

We keep a record of known bullying incidents which is analysed and shared with the Governing body. All staff are aware that children with SEND, LGBTQ+, and/or perceived differences are more susceptible to being bullied / victims of child abuse.

The fact that a young person may be LGBTQ+ is not in itself an inherent risk factor for harm. However, children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether or not) can be just as vulnerable as children who identify as LGBT.

Risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open. At The Winston Churchill School, we endeavour to reduce the additional barriers faced, by providing support via the wellbeing button on FROG, by running the Diversity Club and/or by talking to one of our Staff LGBTQ+ Staff Allies.

When there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm' a bullying incident should be addressed as a child protection concern. If the anti-bullying procedures are seen to be ineffective, the Headteacher and the DSL will also consider child protection procedures.

PSHCE education, through assemblies, tutor time, Winston Extra and Workshops regularly provide opportunities for students to understand what bullying is, bullying is wrong, its impact and how to deal with it.

Prejudice related incidents

Our policy on prejudice incidents is set out separately and acknowledges that repeated incidents or a single serious incident may lead to consideration under child protection procedures. We keep a record of racist incidents.

Online Safety/cybercrime

The Winston Churchill School has an Online Safety Policy which outlines the school's policy on the use of mobile and smart technology. It explains how we aim to keep students safe online and how students are protected by our filtering and monitoring systems and how we monitor and respond to related incidents.

The breadth of issues classified within online safety is considerable and ever evolving, but can be categorised into four areas of risk, content, contact, conduct and commerce.

Students are taught about online safety throughout the curriculum and all staff receive online safety training which is regularly updated.

The school will follow the guidance around harmful online challenges and online hoaxes when supporting children and sharing information with parents/carers

The harm might range from sending hurtful or abusive texts or emails, to grooming and enticing children to engage in extremist or sexual behaviour such as webcam photography or face-to-face meetings. Students may also be distressed or harmed by accessing inappropriate material such as pornographic websites or those which promote extremist behaviour, criminal activity, suicide or eating disorder.

Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime. If there are concerns about a child in this area, the DSL will consider a referral into the Cyber Choices programme.

This programme aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

The school online safety co-ordinator is Rachel Smith.

Sharing Nudes and Semi Nudes

The practice of children sharing images and videos via text message, email, social media or mobile messaging apps has become commonplace. However, this online technology has also given children the opportunity to produce and distribute sexual imagery in the form of photos and videos. Such imagery involving anyone under the age of 18 is unlawful.

Sharing nudes/semi-nudes refers to both images and videos where:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18.
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult.
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18.

All incidents of this nature should be treated as a safeguarding concern and in line with the UK CIS Guidance: Sharing nudes and semi-nudes: advice for education settings working with children and young people (Dec 2020)

Cases where sexual imagery of people under 18 has been shared by adults and where sexual imagery of a person of any age has been shared by an adult to a child, is child sexual abuse and should be responded to.

Radicalisation, Extremism and Terrorism

The Prevent Duty for England and Wales (2015) under section 26 of the Counter Terrorism and Security Act 2015 places a duty on education and other children's services to have due regard to the need to prevent people from being drawn into terrorism.

The Winston Churchill School values freedom of speech and the expression of beliefs / ideology as fundamental rights underpinning British values. Both students and teachers have the right to speak freely and voice their opinions. However, freedom comes with responsibility and free speech that is designed to manipulate the vulnerable or that leads to violence and harm of others goes against the moral principles in which freedom of speech is valued. Free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

Extremism is defined as 'the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces'.

Radicalisation refers to ‘the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups’.

Terrorism is ‘an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes with an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.’

Some children are at risk of being radicalised; adopting beliefs and engaging in activities which are harmful, criminal or dangerous. This can happen both online and offline.

The school is clear that exploitation of vulnerable children and radicalisation should be viewed as a safeguarding concern and follows the DfE guidance for settings and childcare providers on preventing children and young people from being drawn into terrorism.

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

The DSL should report concerns that a child may be at risk of radicalisation or involvement in terrorism, use the Prevent referral form to refer cases by e-mail to preventreferrals@surrey.pnn.police.uk.

If the matter is urgent then Police must be contacted by dialling 999. In cases where further advice from the Police is sought dial 101.

To speak to the Prevent Supervisor for Surrey call 07795043842.

There is a dedicated telephone helpline 0800 0113764 for staff and Governors to raise concerns around Prevent.

Setting staff receive training to help identify early signs of radicalisation and extremism.

Opportunities are provided in the curriculum to enable children to discuss issues of religion, ethnicity and culture and the setting follows the Promoting fundamental British values through SMSC.

The school’s Governors, the Headteacher and the DSL will assess the level of risk within the setting and put actions in place to reduce that risk. Risk assessment may include, due diligence checks for external speakers and private hire of facilities, anti-bullying policy and other issues specific to the setting’s profile, community and philosophy.

Although not a cause for concern on their own, possible indicators when taken into consideration alongside other factors or context may be a sign of being radicalised.

Further information and a list of such indicators can be found at Managing Risk of Radicalisation in your Education Setting

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL is aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity.

Serious Violence

There are a number of indicators, which may signal children are at risk from, or are involved with, serious violent crime. These may include:

- increased absence from the 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, or signs of assault or unexplained injuries
- Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

Staff are aware that violence can often peak in the house just before and after the children attend the school which includes travelling to and from school.

Modern Slavery

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

Female Genital Mutilation (FGM)

FGM is illegal in England and Wales under the FGM Act (2003). It is a form of child abuse and violence against women. A mandatory reporting duty, requires teachers to report directly and immediately to the Police 101 where they either:

- are informed by a girl under 18 that an act of FGM has been carried out on her; or
- observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for the purposes connected with labour or birth.

The duty applies to all persons who are employed or engaged to carry out 'teaching work' whether or not they have qualified teacher status.

The duty applies to the individual who becomes aware of the case to make a report. It should not be transferred to the DSL; however, the DSL should be informed.

Staff are trained to be aware of risk indicators of FGM.

Concerns about FGM outside of the mandatory reporting duty should be reported using the school's Safeguarding and Child protection procedures. Staff should be particularly alert to suspicions or concerns expressed by female children about going on a long holiday during the summer holiday.

There should also be consideration of potential risk to other girls in the family and the wider community. Where there is a risk to life or likelihood of serious immediate harm the teacher should report the case immediately to the Police by calling 999.

There are no circumstances in which a member of staff should examine a girl.

Forced Marriage

A forced marriage is a marriage in which one or both people do not (or in cases of people with learning disabilities cannot) consent to the marriage but are coerced into it. Coercion may include physical, psychological, financial, sexual, and emotional pressure. It may also involve physical or sexual violence and abuse.

Forced marriage is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights. Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under the Anti-Social Behaviour, Crime and Policing Act 2014. In addition, since February 2023, it is also a crime to cause a child to marry before their eighteenth birthday, even if violence, threats or another form of coercion are not used. This applies to non-binding, unofficial 'marriages' as well as legal marriages.

A forced marriage is not the same as an arranged marriage which is common in many cultures. The families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

Staff should never attempt to intervene directly as a school or through a third party. Contact should be made with the C-SPA and/or the Forced Marriage Unit 200 7008 0151

So-called 'Honour'-based abuse (HBA)

HBA can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such abuse can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

HBA might be committed against people who:

- become involved with a boyfriend or girlfriend from a different culture or religion.
- want to get out of an arranged marriage; become involved with a boyfriend or girlfriend from a different culture or religion.
- want to get out of an arranged marriage.
- want to get out of a forced marriage.
- wear clothes or take part in activities that might not be considered traditional within a particular culture.

It is considered a violation of human rights and may be a form of domestic and/or sexual abuse.

One Chance Rule

All staff are aware of the 'One Chance' Rule' in relation to forced marriage, FGM and HBA. Staff recognise they may only have one chance' to speak to a child who is a potential victim and have just one chance to save a life.

The school is aware that if the victim is not offered support following disclosure that the 'One Chance' opportunity may be lost. Therefore, all staff are aware of their responsibilities and obligations when they become aware of potential forced marriage, FGM and HBA cases.

Private Fostering

A private fostering arrangement occurs when someone other than a parent or close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16 or 18 if the child is disabled.

Children looked after by the local authority or who are placed in residential schools, children's homes or hospitals are not considered to be privately fostered. Private fostering occurs in all cultures and children may be privately fostered at any age.

The Winston Churchill School recognises that most privately fostered children remain safe and well but are aware that safeguarding concerns have been raised in some cases. Therefore, all staff are alert to possible safeguarding issues, including the possibility that the child has been trafficked into the country.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify children's services as soon as possible. However, where a member of staff becomes aware that a student may be in a private fostering arrangement they will raise this with the DSL and the DSL will notify Surrey Children's Social Care of the circumstances C-SPA immediately.

Looked After Children and Previously Looked After Children

The most common reason for children becoming looked after is because of abuse and neglect.

Appropriate staff have information about a child's looked after legal status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child and contact arrangements with birth parents or those with parental responsibility.

A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken when necessary to safeguard these children, who are a particularly vulnerable group.

The designated teacher and governor for looked after children will have the appropriate level of training to equip them with the knowledge and skills to undertake their role.

The designated teachers for Looked After Children, work with the Surrey's Head of Virtual School for both looked after and previously looked after children.

Children with special educational needs and disabilities or health issues

Children with SEND or certain medical or physical health conditions can face additional safeguarding challenges both online and offline. 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 settings or the consequences of doing so

Any reports of abuse will require close liaison with the DSL and the SENDCO. The setting will consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place

Children Absent from Education

All children are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude, and any SEND they may have.

The school recognises that children missing education, can be a vital warning sign of a range of safeguarding possibilities. They are also at significant risk of underachieving, being victims of abuse and harm, exploitation, radicalisation, and not being in education, employment or training (NEET) later in life.

Where possible the school will hold more than one emergency contact number for each child.

The school will ensure that there is a record of joiners and leavers as defined in The Education (Pupil Registration) (England) 2006 (amended 2016).

When removing a child's name, the setting will notify the Surrey County Council of: (a) the full name of the child, (b) the full name and address of any parent with whom the child normally resides, (c) at least one telephone number of the parent, (d) the child's future address and destination setting, if applicable, and (e) the ground in regulation 8 under which the child's name is to be removed from the setting register.

The setting will make reasonable enquiries to establish the whereabouts of a child jointly with the Local Authority, before deleting the child's name from the setting register if the deletion is under regulation 8(1), sub-paragraphs (f) (iii) and (h) (iii) of The Education (Pupil Registration) (England) 2006 (amended 2016).

The Winston Churchill School will:

- Enter children on the admissions register on the first day on which the setting has agreed, or has been notified, that the child will attend the setting.

- Notify Surrey County Council within five days of adding a child's name to the admission register. The notification must include all the details contained in the admission register for the new child.
- Monitor each child's attendance through their daily register and follow Surrey County Council procedure in cases of unauthorised absence.
- Remove a child's name from the admissions register on the date that the child leaves the setting.
- The setting will notify Surrey County Council when they are about to remove a child's name from the setting register under any of the fifteen grounds listed in the regulations, no later than the date that the child's name is due to be removed.

Where parents/carers notify the school, in writing, of their intention to Electively Home Educate (EHE) the setting will forward a copy of the letter to the Surrey County Council Inclusion Team.

Where parents/carers orally indicate that they intend to withdraw their child to EHE and no letter has been received, the setting will not remove the child from roll and will notify the Inclusion Team at the earliest opportunity.

Pupils Missing Out on Education (PMOOE)

Most children engage positively with school and attend regularly. However, to flourish, some children require an alternative education provision or may require a modified timetable to support a return to full time education provision. It is recognised that children accessing alternative provision, or a reduced/modified timetable may have additional vulnerabilities. Ofsted refer to these as PMOOE because they are not accessing their education in a setting in the 'usual way'.

The school will ensure that parents/carers (and the Local Authority where the child has an Education Health Care Plan (EHCP) are given clear information about alternative provision placements, reduced/modified timetables and review.

The school will gain consent (if required in statute) from parents/carers to put in place alternative provision and/or a reduced or modified timetable.

The Winston Churchill School will keep the placement and timetable under review and involve parents/carers in the review. Reviews will be frequent enough to provide assurance that the off-site education and/or modified timetable is achieving its objectives and that the child is benefitting from it.

The school will monitor and track children attending alternative provision to ensure that the provision meets the needs of the child. The school continues to be responsible for the safeguarding of that student and will obtain written confirmation from the alternative provision provider that appropriate safeguarding checks have been carried out on individuals working at the establishment,

The Winston Churchill School will comply with regular data returns requested by Surrey County Council, regarding all children, of statutory setting age, attending alternative provision and/or on a reduced/modified timetable.

The leadership team will report to Governors information regarding the use and effectiveness of alternative provision and modified/reduced timetables. The school will also report to Governors any formal direction of a child to alternative provision to improve behaviour.

Attendance and Behaviour

Additional policies and procedures are in place regarding setting attendance and behaviour.

The Winston Churchill School recognises that being absent from and exclusion from may be indicators of abuse and neglect, including the exploitation of children. The DSL will regularly liaise with members of staff with responsibility for behaviour and attendance to ensure risk is identified and appropriate intervention is in place to protect children from harm.

The school will work in partnership with Surrey Police and other partners for reporting children that go missing from the setting site during the setting day. Staff will be alert to signs of children at risk of travelling to conflict zones, female genital mutilation and forced marriage.

Restrictive Physical Intervention

We acknowledge that staff should only ever use physical intervention as a last resort and in line with KCSIE 2023 'the decision to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned' and the school's Behaviour Policy, when a child is endangering him/herself or others, and that at all times it should be the minimal force necessary to prevent injury to another person or themselves.

Such events should be recorded and signed by a witness and logged centrally by the school.

We understand that physical intervention of a nature which causes injury or distress to a child may be considered under child protection or disciplinary procedures.

We recognise that touch is appropriate in the context of working with children, and all staff have been given 'Safe Practice' guidance to ensure they are clear about their professional boundaries, in line with the school Behaviour Policy.

When applying disciplinary measures such as physical intervention or isolation for children with SEND the setting will consider the risks, given the additional vulnerabilities of these children.

Young Carers

At The Winston Churchill School, we believe that all children and young people have the right to an education, regardless of what is happening at home. When a young person looks after someone in their family who has a serious illness, disability or substance misuse problem, he or she may need extra support to help him or her get the most out of school.

The Winston Churchill School will support Young Carers by:

- Having a member of staff with special responsibility for young carers and lets all new students know who they are and what they can do to help.
- Including in Winston Extra lessons, the challenges faced by young carers.
- Promoting Surrey Young Carers to our students and their families.
- Being accessible to parents who have mobility and communication difficulties and involves them in parents' evenings.

Allegations against staff

Surrey's LADO procedure will be followed where it is alleged that anyone working in the setting that provides education for children under 18 years of age, including supply staff, volunteers and contractors or another 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 he or she 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.

The last bullet point above includes behaviour that may have happened outside of the setting, that might make an individual unsuitable to work with children, this is known as transferable risk.

In dealing with allegations or concerns against an adult, staff must without delay:

Report any concerns to the Headteacher immediately.

If an allegation is made against the Headteacher the concerns need to be raised with the Chair of Governor as soon as possible. If the Chair of Governors is not available, then the LADO should be contacted directly.

There may be situations when the Headteacher, Chair of Governors will want to involve the Police immediately if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence.

Once an allegation has been received by the Headteacher/, Chair of Governors will complete the reference form and contact the LADO (as part of their mandatory duty) on 0300123 1650 option 3 LADO or Email: LADO@surreycc.gov.uk immediately and before taking any action or investigation, beyond initial fact finding.

Following consultation with the LADO inform the parents/carers of the allegation unless there is a good reason not to.

In liaison with the LADO, the setting will determine how to proceed and if necessary, the LADO will refer the matter to Social Care and/or the Police.

If the matter is investigated internally, the LADO will advise the setting to seek guidance in following procedures set out in part 4 of KCSIE (2023) and the SSCP procedures.

Low-level concerns

The term low-level concern does not mean that it is insignificant. A low-level concern is any concern, even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the setting 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.

The school including temporary staff/supply staff and volunteers, encourages an open and transparent culture in which *all concerns* (including those deemed to be low-level) about adults working for, or on behalf of, the School are dealt with promptly and appropriately.

The purpose of reporting low-level concerns is to create and embed a culture of openness, trust and transparency in which the setting's values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.

The school creates an environment where staff are encouraged and feel confident to self-refer where they have found themselves in a situation.

Reports should be made to the Headteacher in a timely manner. If he/she has any doubt as to whether the information which has been shared about the individual as a low-level concern in fact meets the harm threshold, they will consult with the LADO.

Whistle-blowing

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

All staff should be aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of colleagues. If it becomes necessary to consult outside the school, they should speak in the first instance, to the Area Education Officer/LADO following the Whistleblowing Policy.

Whistle-blowing regarding the Headteacher should be made to the Chair of the Governing Body whose contact details are readily available to staff.

Staff are encouraged to use an external, independent and confidential service provided by Navex Global, who can be contacted on their freephone helpline number 0800 069 8180 and through the [Navex Global web pages](#)

[The NSPCC whistleblowing helpline](#) is also available for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about a way a concern is being handled by their setting. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.

Monitoring and Evaluation

Our Child Protection Policy and procedures will be monitored and evaluated through:

- Link Safeguarding Governor visits to the school and written monitoring reports
- SLT 'drop ins' and discussions with children and staff
- Student surveys and questionnaires
- Scrutiny of trends from analysis of CPOMS
- Case reviews
- Scrutiny of attendance data
- Scrutiny of range a of risk assessments
- Scrutiny of Governing Body minutes
- Logs of bullying/racist/behaviour incidents monitored by senior staff and the Governing Body.
- Review of parental concerns and parent feedback
- External consultant reviews

The Child Protection Team

- Ms J Sigrist & Mrs J Mellor – Senior Designated Senior Leads (DSLs)
- Mrs N Cotter – Deputy Designated Safeguarding Lead
- Ms M Adams – Designated Safeguarding Lead
- Miss I Hazzlewood – Designated Safeguarding Lead
- Miss R Knight – Designated Safeguarding Lead
- Mr T Flood – Designated Safeguarding Lead

Signed: Chair of Committee.....Date:.....

Under Review

Appendix 1

Child Protection Procedures

The following procedures apply to all staff working in the school/college and will be covered by training to enable staff to understand their role and responsibility.

The aim of our procedures is to provide a robust framework which enables staff to take appropriate action when they are concerned that a child is being harmed or abused or is at risk of harm or abuse.

The prime concern at all stages must be the interests and safety of the child. Where there is a conflict of interest between the child and an adult, the interests of the child must be paramount.

All staff are aware that very young children and those with disabilities, special needs or with language delay may be more likely to communicate concerns with behaviours rather than words. Additionally, staff will question the cause of knocks and bumps in children who have limited mobility.

If a member of staff suspects abuse, spots signs or indicators of abuse, or they have a disclosure of abuse made to them they must:

1. Make an initial record of the information related to the concern.
2. Make an accurate record (which may be used in any subsequent court proceedings) as soon as possible and within 24 hours of the occurrence, of all that has happened, including details of:
 - Dates and times of their observations
 - Dates and times of any discussions in which they were involved
 - Who was present
 - The context
 - Details of the disclosure or concern (using the child's words where appropriate)
 - Demeanour/non-verbal behaviours of the child
 - The 'Child's Voice'
 - Any injuries using a body map
 - Rationale for decision making and action taken
3. Report it to the DSL immediately.
4. The records must be signed and dated by the author or / equivalent if on electronic based records.
5. The DSL will consider if there is a requirement for immediate medical intervention, however urgent medical attention should not be delayed if the DSL is not immediately available.
6. In the absence of a DSL, staff must be prepared to refer directly to C-SPA (and the Police if appropriate) if there is the potential for immediate significant harm or contact the consultation line at the C-SPA for support and advice.

Following a report of concerns the DSL must:

1. Using the Effective Resilience and Levels of Need document decide whether or not there are sufficient grounds for suspecting harm, in which case a request for support must be made to the C-SPA and the Police if it is appropriate.
2. Normally the school should try to discuss any concerns about a child's welfare with the family and where possible to seek their agreement before making a referral to the C-SPA. However, this should only be done when it will not place the child at increased risk or could impede a Police investigation. The child's views should also be considered.

If there are grounds to suspect a child is suffering, or is likely to suffer, harm or abuse the DSL must contact the C-SPA. By sending a Request for Support Form by secure email to: cspa@surreycc.gov.uk. If a child is in immediate danger and urgent protective action is required, the Police (dial 999) must be called. The DSL must also notify the C-SPA of the occurrence and what action has been taken

3. If the DSL feels unsure about whether a referral is necessary, they can phone the C-SPA consultation line to discuss concerns
4. If there is not a risk of significant harm, the DSL will either actively monitor the situation or consider offering early help.
5. Where there are doubts or reservations about involving the child's family, the DSL should clarify with the C-SPA or the Police whether the parents should be told about the referral and, if so, when and by whom. This is important in cases where the Police may need to conduct a criminal investigation.
6. When a child needs urgent medical attention and there is suspicion of abuse the DSL or their Deputy should take the child to the accident and emergency unit at the nearest hospital, having first notified the C-SPA. The DSL should seek advice about what action the C-SPA will take and about informing the parents, remembering that parents should normally be informed that a child requires urgent hospital attention.
7. The exception to this process will be in those cases of known FGM where there is mandatory reporting duty for the teacher to report directly to the Police where they either:
 - Are informed by a girl under 18 that an act of FGM has been carried out on her; or
 - Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for the purposes connected with labour or birth.
 - The DSL should also be made aware.

Appendix 2

Dealing with a Disclosure

All staff

A member of staff who is approached by a child should listen positively and try to reassure them. They cannot promise complete confidentiality and should explain that they need to pass information to other professionals to help keep the child and/or other children safe. The degree of confidentiality should always be governed by the need to protect the child.

Additional consideration needs to be given to children with communication difficulties and for those whose preferred language is not English. It is important to communicate with them in a way that is appropriate to their age, understanding and preference.

All staff should know who the DSL is and who to approach if the DSL is unavailable. All staff have the right to make a referral to the C-SPA or Police directly and should do this if, for whatever reason, there are difficulties following the agreed protocol, for example, they are the only adult on the school/college premises at the time and have concerns about sending a child home.

Guiding principles, the seven R's

Receive

- Listen to what is being said, without displaying shock or disbelief
- Accept what is said and take it seriously
- Make a note of what has been said as soon as practicable

Reassure

- Reassure the child, but only so far as is honest and reliable
- Don't make promises you may not be able to keep e.g. 'I'll stay with you' or 'everything will be alright now' or 'I'll keep this confidential'
- Do reassure, for example, you could say: 'I believe you', 'I am glad you came to me', 'I am sorry this has happened', 'We are going to do something together to get help'

Respond

- Respond to the child only as far as is necessary for you to establish whether or not you need to refer this matter, but do not interrogate for full details
- Do not ask 'leading' questions i.e. 'did he touch your private parts?' or 'did she hurt you?' Such questions may invalidate your evidence (and the child's) in any later prosecution in court
- Do not ask the child why something has happened.
- Do not criticize the alleged perpetrator; the child may care about him/her, and reconciliation may be possible
- Do not ask the child to repeat it all for another member of staff. Explain what you have to do next and whom you have to talk to. Reassure the child that it will be a senior member of staff

Report

- Share concerns with the DSL immediately.
- If you are not able to contact your DSL or the Deputy DSL, and the child is at risk of immediate harm, contact the C-SPA or Police, as appropriate directly
- If you are dissatisfied with the level of response you receive following your concerns, you should press for re-consideration

Record

- If possible, make some very brief notes at the time, and write them up as soon as possible
- Keep your original notes on file
- Record the date, time, place, person/s present and noticeable nonverbal behaviour, and the words used by the child. If the child uses sexual 'pet' words, record the actual words used, rather than translating them into 'proper' words
- If appropriate, complete a body map to indicate the position of any noticeable bruising
- Record facts and observable things, rather than your 'interpretations' or 'assumptions'

Remember

- Support the child: listen, reassure, and be available
- Complete confidentiality is essential. Share your knowledge only with appropriate professional colleagues
- Get some support for yourself if you need it

Review (led by DSL)

- Has the action taken provided good outcomes for the child?
- Did the procedure work?
- Were any deficiencies or weaknesses identified in the procedure? Have these been remedied?
- Is further training required?

What happens next?

It is important that concerns are followed up and it is everyone's responsibility to ensure that they are. The member of staff should be informed by the DSL what has happened following a report being made. If they do not receive this information, they should seek it out. If they believe that the concern has not been acted upon appropriately, they should inform the Headteacher/Principal or Safeguarding Governor or contact the C-SPA for advice.

Appendix 3

Sexual Violence and Sexual Harassment Between Children in Schools

Child on Child Abuse

Sexual violence

It is important that settings are 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 setting. When referring to sexual violence in this advice, we do so in the context of child-on-child sexual violence.

When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

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

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

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (NOTE- Settings 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.)

What is consent?

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

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

Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent.](#)

Sexual harassment

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

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

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names
- sexual "jokes" or taunting
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes. Settings should be considering when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim.
- displaying pictures, photos or drawings of a sexual nature
- upskirting (this is a criminal offence), and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and sharing nude photographs of U18s is a criminal offence. Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK (www.gov.uk)
 - sharing of unwanted explicit content
 - sexualised online bullying
 - unwanted sexual comments and messages, including, on social media
 - sexual exploitation; coercion and threats, and
 - coercing others into sharing images of themselves or performing acts they're not comfortable with online.

It is important that settings consider sexual harassment in broad terms. Sexual harassment (as set out above) creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Responding to reports of sexual violence and sexual harassment

Children making any report of sexual violence or sexual harassment including "upskirting" (The Voyeurism Offences Act 2019) will be taken seriously, kept safe and be well supported.

If the report includes an online element, staff will be mindful of the Searching, Screening and Confiscation: advice for schools July 2022 guidance.

Staff taking the report will inform the DSL or the Deputy DSL immediately.

Staff taking a report will never promise confidentiality.

Parents or carers should usually be informed (unless this would put the child at greater risk).

If a child is at risk of harm, is in immediate danger, or has been harmed, a Request for Support will be made to the C-SPA securely email: cspa@surreycc.gov.uk or telephone 0300 470 9100, as appropriate.

Following a report, the DSL will make an immediate risk and needs assessment on a case-by-case basis.

The risk assessment will consider;

- The victim, especially their protection and support.
- The alleged perpetrator, their support needs and any discipline action.
- All other children at the school/college.
- The victim and the alleged perpetrator sharing classes and space at school/college.
- The risk assessment will be recorded and kept under review.

Where there has been other professional intervention and/or other specialist risk assessments, these professional assessments will be used to inform the school/college's approach to supporting and protecting children.

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the setting should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. It is important to explain that the law is in place to protect children rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them.

Action: The DSL will consider

- The wishes of the victim.
- Where the young person asks the school not to tell anyone about the incident.
- The nature of the incident including whether a crime has been committed and the harm caused.
- Ages of the children involved.
- Developmental stages of the children.
- Any power imbalance between the children.
- Any previous incidents.
- Ongoing risks.
- Other related issues or wider context.

Options:

- Manage internally
- Early Help intervention
- Request for support to the C-SPA
- Report to the Police (generally in parallel with a request for support to the C-SPA)

Ongoing Response:

The DSL will manage each case individually and will ensure the risk assessment is reviewed regularly with relevant partner agencies, for example the Police and Children's Social Care.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim.

The DSL will consider how best to keep the victim and perpetrator a reasonable distance apart on school/college premises and on transport where appropriate.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the school/college will take suitable action. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and may lead to the view that allowing the perpetrator to remain in the same school would seriously harm the education or welfare of the victim (and potentially themselves and other children).

Where a criminal investigation into sexual assault leads to a conviction or caution, the school/college will, if it has not already, consider any suitable sanctions in light of their behaviour policy, which may include consideration of permanent exclusion. Where the perpetrator is going to remain in school, the Headteacher/ will continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on the school premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The victim, alleged perpetrator and any other children & adults affected will receive appropriate support and safeguards on a case-by-case basis.

The school will take any disciplinary action against the alleged perpetrator in accordance with the school/college behaviour policy.

The school recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions and will occur at the same time if necessary.

Due consideration will be given to any decision, where the young person asks the school not to tell anyone about the incident; making referrals against the wishes of the young person; and considering the potential impact of social media breaching confidentiality. KCSIE 2023,

Risk Assessments

Report of sexual violence or sexual harassment should include the time and location of the incident. Subsequent risk assessments will include any actions required to make the location safer.

Impact on any siblings

It is important to understanding intra-familial harms and identify any necessary support for siblings following incidents of sexual violence or sexual harassment.