



Lingfield Education Trust

Safeguarding Policy

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Safeguarding Policy

Safeguarding and promoting the welfare of children and young people is a statutory responsibility for all staff and therefore is everyone's business. However, safeguarding is much broader than child protection and encompasses all elements of the protection and welfare of children and young people in every circumstance during the school day and beyond.

This policy demonstrates that safeguarding consists of five main components and each area is explored in depth including direction to the rest of the suite of policies that make up the safeguarding requirements. It is essential that both parents and staff are aware of the policies that underpin all aspects of safeguarding inclusive of the Child Protection Policy.

Local Governors and Trustees have a responsibility to ensure that the arrangements for safeguarding across the five components of safeguarding are secure and robust and that any shortfall is rectified. They need to have awareness and understanding of all of the policies that underpin safeguarding.

1. Our Responsibilities to Safeguarding in Schools

At the centre of the five components, is the overarching responsibilities to safeguarding that are clearly set out in legislation. Irrespective of the type of education provision, the Education Act 2002 (section 175 (maintained schools), the Education (Independent School Standards) Regulation 2014 (including Academies/Free Schools) and the Education Non Maintained Special Schools (England) Regulation 2011 set out the standards for safeguarding for all settings which schools have a statutory duty to ensure that they meet.

Further information which directs all staff in schools, Trustees, Local Governors and Designated Safeguarding Leads (DSL's) around their roles and responsibilities in safeguarding in schools is stated within Keeping Children Safe in Education 2021. This is inclusive of the statutory duties regarding the PREVENT strategy (1st July 2015) to have due regard to prevent young people from being drawn into terrorism and the statutory duty to report all cases of Female Genital Mutilation (31st October 2015). Most recently, KCSIE and school level policies have been reviewed with particular reference to the

DFE guidance: Sexual violence and sexual harassment between children in schools and colleges (September 2021).

Local safeguarding expectations are set out from the Local Safeguarding Partners through self -completion of the Section 11 tool on an annual basis. The Section 11 tool sets out all of the standards of safeguarding expected from all partner agencies in co-operation with the Local Safeguarding Children Board/Safeguarding Partners. Many schools and settings will have individual processes of self-assessment for safeguarding including through Safeguarding First (self-assessment tool and/or termly action plan).

The Local Governing Body is responsible for ensuring that this legislation and government guidance is adhered to by the Executive Head Teacher / Head Teacher / Head of School and senior leaders and that all of the necessary safeguarding policies are in place within the school and are ratified in accordance with the school policy schedule. Local Governors have responsibility for ensuring that senior leaders are held to account for all aspects of safeguarding and most importantly that all legislation, guidance and policies work effectively in practice by the whole workforce.

In Lingfield Education Trust, it is the Trustees that hold the CEO to account for the safeguarding arrangements across the whole Trust. Clear direction, can be provided through an overarching policy for the trust (such as this policy). However, the Trust must ensure that individual schools' have their own policies (including Child Protection) where local arrangements may be different or a school's own arrangements are unique. Within that policy, clear arrangements must be shared around any additional leadership and support that will be provided in circumstances of need. This may include; Cover arrangements for when the DSL and Deputies may not be available in a school and clarity over Whistleblowing and allegation management/complaint should the Executive Head Teacher / Head Teacher / Head of School be the subject.

For further reference, please see:

Children Act, 1989

Education Act 2002 (section 175 (maintained schools))

Education (Independent School Standards) Regulation 2014 (including Academies/Free Schools)

Education Non Maintained Special Schools (England) Regulation 2011

Keeping Children Safe in Education 2021

LSCB/Safeguarding Partners Section 11 Tool

OFSTED School Inspection Handbook, 2021

Working Together to Safeguard Children 2018

Data Protection Act 2018 & GDPR 2018

Sexual violence and sexual harassment between children in schools and colleges 2021

2. Safeguarding Children and Vulnerable Adults

At the core of safeguarding is the role and responsibility staff have in the protection of all children and young people in relation to any level of vulnerability. Any young person or family may be experiencing vulnerability and it is essential that all staff are fully aware of the need to recognise vulnerability as early as possible in order to gain the appropriate level of intervention necessary to support the situation.

In particular initial signs of concern may be in relation to changes in behaviour, or attendance or around a young person's special educational need or medical need. Many young people may be vulnerable due to changes in family circumstances, separation, divorce or death. For some young people they may be experiencing bullying inclusive of cyber bullying and therefore rigorous policy and practice is expected in this area in particular regarding concerns about supervision online, grooming, sexual exploitation and radicalisation. The Trust Peer on Peer Abuse policy is adopted by all schools and forms part of the induction for all staff.

There will be times when early intervention is not an appropriate option, in particular when there is clear evidence that a young person is at risk of or likely to suffer significant harm. Under these circumstances immediate support and intervention is required which is clearly directed under each school's Child Protection Policy. The Child Protection Policy covers all aspects of child abuse and neglect inclusive of issues regarding Female Genital Mutilation, Prevent, Child Sexual Exploitation, Sexual Violence and Sexual Harassment, Upskirting and County Lines (See KCSIE, 2021 for the full list). The expectation of all staff is that any concerns relating to significant harm are reported immediately to the Designated Safeguarding Lead and only in the event the DSL cannot be contacted, or the member of staff remains concerned about the decision made, should they directly contact the appropriate services, e.g. Children's Social Care or the police. The Child Protection Policy clearly directs staff that **safeguarding is everyone's responsibility**.

Local Governors have a responsibility to ensure that the Executive Head Teacher / Head Teacher / Head of School and Senior Leaders have the appropriate policy and practices in place and should do so through appropriate challenge and rigour. In particular, focussing on the improved outcomes for children and young people who are vulnerable to ensure that policy and practice works effectively in the protection and well-being of children and young people.

Under this component of safeguarding the following suite of policies are required to demonstrate statutory responsibilities:

Child Protection Policy

Attendance Policy

LAC Policy

SEND Policy

Staff and Volunteer Behaviour Policy

Anti-bullying Policy

Administration of Medication Policy

Acceptable Use (Cameras, Mobiles & Mobile Devices) Policy

E Safety Policy

Visitors' Policy and Visiting Speakers Agreement

EVC Procedure

Missing from Education Policy (or statement included in Child Protection Policy)

Physical Intervention Policy

Peer on Peer Abuse Policy

Unaccompanied Travel Procedures

3. Safe People

All staff, including supply and agency staff, have a responsibility to ensure that both their own conduct and that of others is safe. Although all staff may not have particular responsibilities around recruitment, they do have a responsibility to ensure that the conduct of themselves and others does not put young people at risk and if it does this needs to be reported immediately to the Executive Head Teacher / Head Teacher / Head of School (or CEO or Chair of Trustees if it is regarding the Executive Head Teacher / Head Teacher / Head of School through the Whistleblowing Policy).

The allegation may indicate that the 'harm threshold' has been met and an adult has:

- behaved in a way that has harmed a child, or may have harmed a child;

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

Our Trust has a clear code of conduct policy for staff and volunteers which set out the expectations of all staff irrespective of their position e.g. staff, student or volunteer. Staff are expected to operate within this code of conduct both during and outside of school inclusive of the use of social media. In the event that the reputation of an individual or that of the school is brought into disrepute because of an individual's conduct this would be a disciplinary matter managed through the Whistleblowing Policy, Disciplinary Policy or Code of Conduct.

The expectations of all staff on site will be shared both during the recruitment and selection process and through a thorough induction which should occur prior to commencing the job role and also for those members of staff who have been on long term absence on their return to work. The recruitment details of all staff working on site are held securely via the Single Central Record.

Trustees have a responsibility to ensure that all staff members are recruited appropriately with necessary pre-employment checks undertaken. They also hold responsibility for ensuring that all staff adhere to the Staff Behaviour Policy/Code of Conduct and Whistleblowing Procedures and that the Executive Head Teacher / Head Teacher / Head of School takes appropriate action when dealing with allegations.

3.1 Managing Allegations Against Supply/Agency Staff

In some cases, the school will need to consider an allegation against an individual not directly employed by the school, where the school's disciplinary procedures do not fully apply, e.g. supply staff provided by an employment agency or business.

The school will work with the agency to ensure allegations are dealt with properly, where the 'harm threshold' is met.

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.

Under no circumstances will the school decide to cease to use a member of supply staff due to safeguarding concerns without finding out the facts and liaising with the LA designated officer (LADO) to determine a suitable outcome.

The Head Teacher will discuss with the agency whether it is appropriate to remove the member of supply staff from the school, or redeploy them to another part of the school, whilst an investigation is conducted.

The school will take the lead on investigations as supply staff, while not directly employed by the school, are under the supervision, direction and control of the Head Teacher when working in the school. Where possible agencies will be involved in any investigation and will be expected to fully cooperate with enquiries from the LADO, police and/or children's services.

The member of supply staff subject to an allegation will be advised to contact their trade union representative, if they have one, or colleague for support.

The allegations management meeting will address issues, such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the school during the investigation.

An agency used by the school will be informed of the school's process for managing allegations. This will include inviting the agency's HR Manager or equivalent to meetings and keeping them up-to-date with information about the school's policies.

3.2 'Low Level Concerns'

As part of our whole Trust approach to safeguarding, we promote an open and transparent culture in which all concerns about all adults working in or on behalf of the schools (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold (see above section) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. In

doing this, we encourage an open and transparent culture; enabling leaders to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

What is a low level concern?

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

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work;

and

- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

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

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns, including those which do not meet the harm threshold (see Part Four - Section one), are shared responsibly and with the right person, and recorded and dealt with appropriately. In our school, all such

concerns must be shared with the Headteacher, or Executive Headteacher immediately. If the concern is about the Executive Headteacher, it must be shared with the CEO. Ensuring they are dealt with effectively should also protect those working in or on behalf of the school from potential false allegations or misunderstandings.

Staff code of conduct

Within the Trust Code of Conduct Policy, it is made clear that what a low-level concern is and the importance of sharing low-level concerns, and an explanation of what the purpose of the procedures are – i.e. to create and embed a culture of openness, trust and transparency in which the Trust's values and expected behaviour which are set out in the staff code of conduct are constantly lived, monitored and reinforced by all staff.

As a Trust, we will address unprofessional behaviour and support the individual to correct it at an early stage;

- providing a responsive, sensitive and proportionate handling of such concerns when they are raised; and,
- helping identify any weakness in the school or colleges safeguarding system.

Sharing low-level concerns

Low-level concerns about a member of staff, supply staff, volunteer or contractor should be reported as per paragraph 74 of KCSIE 21 – i.e. they should always be reported to the Executive Headteacher, or Headteacher. Reports about supply staff and contractors should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Across our Trust, we also aim to create an environment where staff are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Recording low-level concerns

All low-level concerns should be recorded in writing. 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 should be respected as far as reasonably possible.

These will be retained by the Executive Headteacher, or Headteacher and stored in a locked cupboard, and will not be accessed by other staff in school. These will be retained as long as the employee is in employment in the Trust.

Records are regularly reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the school should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the LADO.

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

References

Part three of this guidance is clear that schools should only provide substantiated safeguarding allegations in references. Low level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

Responding to low-level concerns

The school will always respond to reports of low-level concerns. If the concern has been raised via a third party, the Executive Headteacher, or Headteacher should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. All of this needs to be recorded along with the rationale for their decisions and action taken.

Under this component of safeguarding the following suite of policies and documents are required to demonstrate statutory responsibilities:

Recruitment and Selection Policy

Single Central Record

Code of Conduct Policy

Whistle Blowing Policy

Disciplinary Policy

Privacy Notice

Data Protection Policy

GDPR Policies

Complaints Policy

4. Safe Premises and Place

Under the Safe Premises and Places component the responsibilities in safeguarding are about the sites that young people are educated on. This includes both the school but also any places where young people are taken to be educated off-site or for residential trips or visits. All staff are accountable for ensuring that wherever young people are, they are safe. This means that they are responsible for not only ensuring that classroom and working areas are safe but also that shared areas e.g. hall, outdoor area, reception area are safe also and responsibly report any issues or concerns.

Any trips and visits must be appropriately risk assessed but staff must be aware to adapt and change plans in the event that risks occur that have not been planned for e.g. bus breaks down, venue is inappropriate.

All staff must operate within the health and safety regulations of the school or setting including fire regulations, building regulations and procedures for legionella/asbestos. The Executive Head Teacher / Head Teacher / Head of School and the Key Holders for the site are responsible for the letting or transfer of control to other agencies for use of the premises.

Trustees are responsible for ensuring that all of the appropriate and necessary health and safety checks are in place to ensure both staff and young people are safe and secure both on and off site. They may also be part of the quality assurance audits in many of these areas.

Under this component of safeguarding the following suite of policies are required to demonstrate statutory responsibilities:

Health and Safety Policy

Asbestos Procedures

Legionella Procedures

Fire Safety Procedures

Personal Emergency Evacuation Plan

5. Safe children

Safe children responsibilities in safeguarding relates to the current curriculum provided by the school and encompasses all aspects of the safety and well-being of young people. It is important that through a wide ranging curriculum including PHSE and SMSC (Spiritual, Moral, Social and Cultural) and Sex and Relationships Education, that young people are given the opportunity to learn about diversity including, faith, democracy, the law and values.

Through such a curriculum they are given opportunities to explore their understanding of life and their own experiences for example around issues such as healthy/positive relationships, family life or making safe decisions. It is sometimes not until these discussions where young people will be given an opportunity to consider the world around them where they may disclose they are at risk of harm. The curriculum is there to support young people in having these healthy discussions in order to help them to manage current and future risks e.g. attending parties or engaging in online behaviours and develop resilience and an ability to manage difficult situations. The curriculum should cover all aspects of the safety and well-being of young people and in particular focus on giving them a 'voice'.

All staff are responsible for ensuring the safety and well-being of all young people and in particular to give young people opportunities to have their voice heard and feel safe.

Trustees and Local Governors are responsible to quality assure the content of the PSHE, SMSC and Sex and Relationships curriculum to ensure that it meets the needs of all young people. Trustees need to champion the voice of the

child by ensuring Executive Head Teacher / Head Teacher / Head of School and Senior Leaders are held to account for improving outcomes for young people through a diverse curriculum.

Under this component of safeguarding the following suite of policies and documents are required to demonstrate statutory responsibilities:

Home School Agreement Policy (Optional)

E Safety Policy

Individual Risk Assessments

Intimate Care Policy

SMSC/Positive Relationship/Curriculum Policy (inclusive of Fundamental British Values)

Procedures that offer opportunity to hear the voice of the child

This Safeguarding Policy must be read in conjunction with the following documents:

References

Keeping Children Safe in Education 2021

Children Act 1989/2004

Working Together to Safeguard Children DOH 2018

What to do if you are worried a child is being abused 2015

Education Act 2002 (section 175 (maintained schools))

Education (Independent School Standards) Regulation 2014 (including Academies/Free Schools)

Education Non Maintained Special schools (England) Regulation 2011

OFSTED School Inspection Handbook, Updated 2021

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Sexual violence and sexual harassment between children in schools and colleges, September 2021