



## Child Protection and Safeguarding Policy and Procedures

This policy was adopted in August 2020 and is due for review in August 2021.

This policy forms section 2 of the Brighton Dome & Brighton Festival Safeguarding and Child Protection Policy.

### Key contacts

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If safeguarding concerns arise concerning a child you are teaching at a school, these must be reported without delay to the school's Designated Safeguarding Lead or Deputy. Confirmation of what has been reported must also be passed to the BHMA Designated Safeguarding Lead or Deputy.

# **Child Protection and Safeguarding Policy**

## **1 INTRODUCTION**

- 1.1. Safeguarding children is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.
- 1.2. The welfare of children and young people who attend service activities is our paramount concern. We will safeguard and promote the welfare of pupils and work together with other agencies to ensure that adequate arrangements to identify, assess and support those children who are suffering or likely to suffer harm are in place.
- 1.3. BHMA/ESM is a community and all those directly connected, staff members, parents, families, pupils and volunteers, have an essential role to play in making it safe and secure.

## **2 OUR ETHOS**

- 2.1 We believe that the activities provided by BHMA/ESM should take place in a caring, positive, safe and stimulating environment that promotes our values and the social, moral spiritual and cultural development of the individual child.
- 2.2 We recognise the importance of providing an environment that will help children feel safe and respected. We recognise the importance of enabling children to talk openly and to feel confident that they will be listened to. We recognise the need to enable children to stay safe and to ask for help if they need it.
- 2.3 We recognise that all adults at BHMA/ESM, including permanent and temporary staff and volunteers have a full and active part to play in protecting our pupils from harm.
- 2.4 We will work with parents to build an understanding of our responsibilities to ensure the welfare of all children, including the need for referrals to other agencies where required.

## **3 SCOPE**

- 3.1 In line with the law, this policy defines a child as anyone under the age of 18 years.
- 3.2 This policy applies to all members of staff including teachers, non-teaching staff, volunteers, and external service or activity providers.

## **4 THE LEGAL FRAMEWORK**

- 4.1 Section 175 of the Education Act 2002 places a duty on governing bodies of maintained schools and further education institutions (including sixth-form colleges) to make arrangements for ensuring that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of children who are pupils at the school. Section 157 of the same Act places a similar duty on non-maintained and independent schools, including free schools and academies.
- 4.2 Under section 10 of the Children Act 2004, all maintained schools, further education colleges and independent schools, including free schools and academies, are required to cooperate with the local authority to improve the well-being of children in the local authority

area.

- 4.3 Under section 14B of the Children Act 2004, the Local Safeguarding Children Board can require a school or further education institution to supply information in order to perform its functions. This must be complied with.
- 4.4 This policy and the accompanying procedures have been developed in accordance with the following statutory guidance and local safeguarding procedures:
- *Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children, July 2018*
  - *Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2020*
  - *Pan-Sussex Child Protection and Safeguarding Procedures*
  - *The Children's Act 2004*

## **5 ROLES AND RESPONSIBILITIES**

- 5.1 Mike Johnson has overall responsibility for child protection and safeguarding and is the Designated Safeguarding Lead. Emma Collins, Gordon Dodridge and Chris Williams are Designated Safeguarding Officers. The Designated Safeguarding Lead's responsibilities are described in Appendix A.
- 5.2 The case manager for dealing with allegations of abuse made against BHMA/ESM staff will be appointed by BDBF Human Resources. The procedure for managing allegations is detailed in Appendix B.
- 5.3 The Head of Service will ensure that the policies and procedures are fully implemented and sufficient resources and time are allocated to enable staff members to discharge their safeguarding responsibilities.
- 5.4 All staff members, volunteers and partner organisations know how to recognise signs and symptoms of abuse, how to respond to pupils who disclose abuse and what to do if they are concerned about a child.

## **6 SUPPORTING CHILDREN**

- 6.1 We recognise that children who are abused or witness violence are likely to have low self-esteem and may find it difficult to develop a sense of self-worth. They may feel helpless, humiliated and some sense of blame.
- 6.2 We accept that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.
- 6.3 BHMA/ESM will support all pupils by:
- ensuring that child protection is central to service provision to help children stay safe, recognise when they do not feel safe and identify who they might or can talk to;
  - providing pupils with a number of appropriate adults to approach if they are in difficulties;
  - supporting the child's development in ways that will foster security, confidence and independence;
  - encouraging development of self-esteem and self-assertiveness while not condoning aggression or bullying;

- liaising and working together with other support services and those agencies involved in safeguarding children; and
- monitoring children who have been identified as having welfare or protection concerns and providing appropriate support.

## **7 CHILD PROTECTION AND SAFEGUARDING PROCEDURE**

- 7.1 We have developed a structured procedure in line with *Pan-Sussex Child Protection and Safeguarding Procedures* which will be followed by all members of the BHMA/ESM community in cases of suspected abuse. This is detailed in Appendix B.
- 7.2 In line with the procedures, the school at which the child attends and/or the Front Door For Families or East Sussex Single Point of Advice team will be notified as soon as there is a significant concern.
- 7.3 The name of the Designated Safeguarding Lead and Designated Safeguarding Officers will be clearly displayed.
- 7.4 We will ensure all parents and carers are aware of the responsibilities of staff members to safeguard and promote the welfare of children by publishing the policy and procedures on our website.

## **8 RECORD KEEPING**

- 8.1 We will ensure that records are maintained appropriately for children with safeguarding concerns and that confidential stand-alone files are created and maintained.

## **9 SAFER WORKFORCE AND MANAGING ALLEGATIONS AGAINST STAFF AND VOLUNTEERS**

- 9.1 We will prevent people who pose risks to children from working for BHMA/ESM by ensuring that all individuals working in any capacity have been subjected to safeguarding checks in line with policy.
- 9.2 Where appropriate, all staff members who have contact with children and young people, aged 8 and under, will be informed of their obligation to make declarations about household members, in line with [Disqualification under the Childcare Act 2006](#).
- 9.3 We will ensure that agencies and third parties supplying staff provide us evidence that they have made the appropriate level of safeguarding check on individuals we may work with.
- 9.4 Every job description and person specification will have a clear statement about the safeguarding responsibilities of the post holder.
- 9.5 We will ensure that at least one member of every interview panel has completed safer recruitment training.
- 9.6 We have a procedure in place to handle allegations against members of staff and volunteers in line with *Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2020*. This procedure is detailed in Appendix B.

## **10 STAFF INDUCTION, TRAINING AND DEVELOPMENT**

- 10.1 All new members of the instrumental teaching team will be given an induction which includes child protection training on how to recognise signs of abuse, how to respond to any concerns, e-safety and familiarisation with the child protection policy, guidelines for self protection and the role of the Designated Safeguarding Lead.
- 10.2 This induction will include all members of staff having read:  
*Part one: Safeguarding information for all staff from Keeping children safe in education.*
- 10.3 The induction will be proportionate to staff members' roles and responsibilities.
- 10.4 The Head of Service will undergo child protection training, when appointed to post and then refreshed every three years.
- 10.5 The Designated Safeguarding Lead and Designated Safeguarding Officers will undergo child protection training, when appointed to post and then refreshed every two years.
- 10.6 All teaching staff will undergo child protection training annually.
- 10.7 Staff members unable to attend the annual training will be required to undertake other relevant training e.g. by attending additional training sessions run by BHMA/ESM or in another recognised educational setting. In exceptional circumstances staff may complete a recognised online training course (e.g. NSPCC) provided this has been agreed by the Safeguarding Lead and written confirmation is provided that service policy has been read and understood.
- 10.8 We will ensure that staff members provided by other agencies and third parties have received appropriate child protection training commensurate with their roles before starting work. They will be given the opportunity to take part in BHMA/ESM training if it takes place during their period of work for the service.
- 10.9 The Designated Safeguarding Lead will provide an annual briefing on any changes to child protection legislation and procedures and relevant learning from local and national serious case reviews.
- 10.10 The service will maintain accurate records of staff induction and training.

## **11 CONFIDENTIALITY, CONSENT AND INFORMATION SHARING**

- 11.1 We recognise that all matters relating to child protection are confidential.
- 11.2 The Head of Service or the Designated Safeguarding Lead will disclose any information about a pupil to other members of staff on a need-to-know basis only.
- 11.3 All staff members must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being.

- 11.4 All staff members have a professional responsibility to share information with other agencies in order to safeguard children.
- 11.5 All staff members who come into contact with children will be given appropriate training to understand the purpose of information sharing in order to safeguard and promote children's welfare.
- 11.6 We will ensure that staff members are confident about what they can and should do under the law, including how to obtain consent to share information and when information can be shared without consent. This is covered in greater detail in Appendix B.

## **12 INTER-AGENCY WORKING**

- 12.1 We will develop and promote effective working relationships with other agencies including schools, agencies providing early help services to children, the police and Children's Social Work Services.
- 12.2 We will ensure that relevant staff members participate in multi-agency meetings and forums, including child protection conferences and core groups, to consider individual children.
- 12.3 We will participate in serious case reviews, other reviews and file audits as and when required to do so by the Local Safeguarding Children Board. We will ensure that we have a clear process for gathering the evidence required for reviews and audits, embedding recommendations into practice and completing required actions within agreed timescales.

## **13 MUSIC HUB PARTNERS, ARTS and EDUCATION PROVIDERS and CONTRACTORS**

- 13.1 We will ensure that music education hub partners, arts and education providers and contractors are aware of our child protection policy and procedures. We will require that employees and volunteers provided by these organisations use our procedure to report concerns.
- 13.2 We will seek assurance that employees and volunteers provided by these organisations and working with our children have been subjected to the appropriate level of safeguarding check in line with *Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2020*.
- 13.3 When we commission services from other organisations, we will ensure that compliance with our policy and procedures is a contractual requirement.

## **14 WHISTLE-BLOWING AND COMPLAINTS**

- 14.1 We recognise that children cannot be expected to raise concerns in an environment where staff members fail to do so.
- 14.2 We will ensure that all staff members are 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 necessary, they will speak with the Head of Service, or with the Local Authority Designated Officer.
- 14.3 We have a clear reporting procedure for children, parents and other people to report

concerns or complaints, including abusive or poor practice.

- 14.4 We will actively seek the views of children, parents and carers and staff members on our child protection arrangements through surveys, questionnaires and by encouraging feedback as appropriate.

## **15 SITE SECURITY**

- 15.1 All staff members have a responsibility to ensure our buildings and grounds are secure and for reporting concerns that may come to light.
- 15.2 We check the identity of all visitors and volunteers coming into our building. Visitors are expected to sign in and out in the office visitors' log and to display a visitor's badge. Any individual who is not known or identifiable will be challenged for clarification and reassurance.
- 15.3 We will not accept the behaviour of any individual, parent or anyone else, that threatens security or leads others, child or adult, to feel unsafe. Such behaviour will be treated as a serious concern and may result in a decision to refuse the person access to where provision is taking place.

## **16 QUALITY ASSURANCE**

- 16.1 We will ensure that systems are in place to monitor the implementation of and compliance with this policy and accompanying procedures. This will include periodic audits of child protection files and records by the Designated Safeguarding Lead.
- 16.2 We will complete an audit of safeguarding arrangements at frequencies specified by the Local Safeguarding Children Board and using the audit tool provided for this purpose.
- 16.3 The Senior Leadership Team ensure that action is taken to remedy without delay any deficiencies and weaknesses identified in child protection arrangements. In addition, the BDBF Safeguarding Committee regularly review the Safeguarding Risk Register which is overseen by the BDBF Board of Trustees.

## **17 POLICY REVIEW**

- 17.1 This policy and the procedures will be reviewed every academic year. All other linked policies will be reviewed in line with the policy review cycle.
- 17.2 The Designated Safeguarding Lead will ensure that staff members are made aware of any amendments to policies and procedures.

## **APPENDIX A**

### **The role of the Designated Safeguarding Lead**

#### **1 MANAGING REFERRALS**

- 1.1 Refer all cases of suspected abuse to the child's school, Front Door For Families or Single Point of Advice or the Police if a crime may have been committed
- 1.2 Cases which involve concern around a member of staff should be referred to the LADO as well.
- 1.3 The Disclosure and Barring Service will also be informed where a person is dismissed or left the service due to posing a risk or harm to a child.
- 1.4 Liaise with the Designated Safeguarding Lead at the child's school about safeguarding issues relating to individual children, especially ongoing enquiries under section 47 of the Children Act 1989.
- 1.5 Act as a source of support, advice and expertise to staff members on matters of child protection and safeguarding.
- 1.6 Liaise with agencies providing early help services and coordinate referrals from the school to targeted early help services for children in need of support.

#### **2 RECORD KEEPING**

- 2.1 Keep detailed, accurate, secure written records of child protection and welfare concerns and referrals.
- 2.2 Ensure a stand-alone file is created as necessary for children with safeguarding concerns.
- 2.3 Maintain a chronology of significant incidents for each child with safeguarding concerns.
- 2.4 Ensure such records are kept confidentially and securely and separate from the child's educational record.
- 2.5 Liaise with the Designated Safeguarding Lead at the child's school to ensure information is shared.

#### **3 INTER-AGENCY WORKING AND INFORMATION SHARING**

- 3.1 Cooperate with Children's Social Work Services for enquiries under section 47 of the Children Act 1989.
- 3.2 Attend, or ensure other relevant staff members attend, child protection conferences, core group meetings and other multi-agency meetings, as required.
- 3.3 Liaise with other agencies working with the child, share information as appropriate and contribute to assessments.

## **4 TRAINING**

- 4.1 Undertake appropriate training, **updated every two years**, in order to
- be able to recognise signs of abuse and how to respond to them, including special circumstances such as Child Sexual Exploitation, Female Genital Mutilation, fabricated or induced illness (see chapter 8 of the *Pan-Sussex Child Protection and Safeguarding Procedures*);
  - understand the assessment process for providing Early Help and intervention, e.g. Children's Services Threshold document: A guide to early help and safeguarding services.
  - have a working knowledge of how the Local Authority conducts initial and review child protection case conferences and contribute effectively to these; and
  - be alert to the specific needs of Children in Need (as specified in section 17 of the Children Act 1989), those with Special Educational Needs, pregnant teenagers and young carers.
- 4.2 Ensure each member of staff has access to and understands the child protection policy and procedures, including providing induction on these matters to new and part-time staff members.
- 4.3 Organise BHMA/ESM child protection training for all teaching staff annually. Ensure staff members who miss the training receive it by other means, e.g. by joining another school's training.
- 4.4 Link with the Local Safeguarding Children Board to make sure staff are aware of training opportunities and the latest local polices on safeguarding.
- 4.5 Obtain access to resources and attend any relevant or refresher training courses.
- 4.6 Ensure time and resources are allocated every year for relevant staff members to attend training.
- 4.7 Encourage a culture of listening to children and taking account of their wishes and feelings in any action BHMA/ESM takes to protect them.
- 4.8 Maintain accurate records of staff induction and training.

## **5 AWARENESS RAISING**

- 5.1 Review the safeguarding and child protection policy and procedures annually and liaise with the appropriate Local Authority officers to update and implement them.
- 5.2 Make the child protection and safeguarding policy and procedures available publicly and raise awareness of parents that referrals about suspected abuse may be made.
- 5.3 Provide an annual briefing on any changes to child protection legislation and procedures and relevant learning from local and national serious case reviews.

## **6 QUALITY ASSURANCE**

- 6.1 Monitor the implementation of and compliance with policy and procedures, including periodic audits of child protection files (at least once a year).
- 6.2 Complete an audit of the BHMA/ESM safeguarding arrangements at frequencies specified

by the Brighton and Hove Local Safeguarding Children Board.

- 6.3 Take lead responsibility for remedying any deficiencies and weaknesses identified in child protection arrangements. The Designated Safeguarding Lead is a member of the BDBF Safeguarding Committee which regularly reviews the BDBF Safeguarding Risk Register overseen by the BDBF Board of Trustees.

## APPENDIX B

# Child Protection and Safeguarding Procedures

## 1 DEFINITIONS

- 1.1 **Abuse**, including neglect, is a form of maltreatment. A person may abuse a child by inflicting harm or by failing to prevent harm. Children may be abused within their family, in an institutional or community setting, by those known to them, or, more rarely, by a stranger.
- 1.2 **Children** are any people who have not yet reached their 18<sup>th</sup> birthday; a 16-year-old, whether living independently, in further education, in the armed forces or in hospital, is a child and is entitled to the same protection and services as anyone younger.
- 1.3 **Child protection** is part of safeguarding and promoting the welfare of children and refers to activity undertaken to protect specific children who are suffering, or likely to suffer, significant harm.
- 1.4 **Early Help** means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years.
- 1.5 **Harm** is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.
- 2.2 **Safeguarding children** is the action we take to promote the welfare of children and protect them from harm. **Safeguarding and promoting the welfare of children** is defined in *Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children (July 2018)* as:
- protecting children from maltreatment;
  - preventing impairment of children's health and development;
  - ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
  - taking action to enable all children to have the best outcomes.
- 1.7 **Significant harm** is the threshold that justifies compulsory intervention in the family in the best interests of the child. Section 31 of the Children Act 1989 states 'where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child.'
- 1.8 For more definitions, see *Pan-Sussex Child Protection and Safeguarding Procedures*.

## 2 CATEGORIES OF ABUSE

- 2.1 **Emotional abuse** is the persistent emotional maltreatment of a child such that it causes severe and persistent adverse effects on the child's emotional development. It may involve:
- making a child feel worthless, unloved or inadequate
  - only there to meet another's needs
  - inappropriate age or developmental expectations
  - overprotection and limitation of exploration, learning and social interaction
  - seeing or hearing the ill treatment of another, e.g. domestic abuse
  - making the child feel worthless and unloved - high criticism and low warmth
  - serious bullying
  - exploitation or corruption

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

2.2 **Neglect** is the persistent failure to meet a child's basic physical or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance misuse. Once a child is born, it may involve a parent failing to:

- provide adequate food, clothing and shelter, including exclusion from home or abandonment
- protect a child from physical and emotional harm or danger
- ensure adequate supervision, including the use of inadequate care givers
- ensure access to appropriate medical care or treatment

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

2.3 **Physical abuse** may involve hitting, shaking, throwing, poisoning, burning, 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.

2.4 **Sexual abuse** involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. Activities may involve physical contact, including penetration of any part of the body, or non-penetrative acts. They may include non-contact activities, such as involving children looking at or in the production of sexual images, including on the internet, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Child sexual exploitation is also sexual abuse; it involves children and young people receiving something, for example accommodation, drugs, gifts or affection, as a result of them performing sexual activities, or having others perform sexual activities on them. It could take the form of grooming of children, e.g. to take part in sexual activities or to post sexual images of themselves on the internet.

### 3 SPECIFIC SAFEGUARDING ISSUES

3.1 BHMA/ESM staff need to be aware of specific safeguarding issues and be alert to any risks. Chapter 8 of the *Pan-Sussex Child Protection and Safeguarding Procedures* has detailed information about specific issues such as Child Sexual Exploitation, Female Genital Mutilation, Private Fostering, etc, and the local procedures to respond to risks.

3.2 Within Keeping Children Safe in Education (2020), the following specific Safeguarding issues are highlighted:

- Children and the court system
- Child missing from education
- Children with family members in prison
- Child sexual exploitation
- Child criminal exploitation: county lines
- Bullying including cyberbullying
- Domestic abuse
- Homelessness
- So-called "honour-based" violence
- Preventing radicalisation

- Peer on peer abuse
- Sexual violence and sexual harassment between children in schools and colleges
- Additional advice and support

### **Children and the court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11-year olds and 12-17 year olds. They explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution school. This may be useful for some parents and carers.

Schools need to be mindful of the stress of these situations and signposting parents to external resources where necessary. Equally the impact upon staff of managing these situations also needs to be considered.

### **Children missing from education**

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future.

Schools must inform the local authority of any pupil who fails to attend regularly, or has been absent without the schools permission for a continuous period of 10 schools days or more, at such intervals as are agreed between the school and the local authority (or in default of such agreement, at intervals determined by the Secretary of State).

### **Children with family members in prison**

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

### **Child sexual exploitation**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact: it can also occur through the use of technology. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and noncontact sexual activity;

- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Some of the following signs may be indicators of child sexual exploitation:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who have older boyfriends or girlfriends;
- children who suffer from sexually transmitted infections or become pregnant;
- children who suffer from changes in emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss school or education or do not take part in education.

### **Child criminal exploitation: county lines**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered.

Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation.

Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

### **Domestic abuse**

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological;

- physical;
- sexual;
- financial; and
- emotional

Exposure to domestic abuse and/or violence 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. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

### **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: Homeless Reduction Act Factsheets. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's schools will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances.

### **So-called 'honour-based' violence**

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

### **Actions**

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015

there has been a mandatory reporting duty placed on teachers that requires a different approach (see following section).

## **FGM**

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

### **FGM mandatory reporting duty for teachers**

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: Mandatory reporting of female genital mutilation procedural information.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has good reason not to, they should still consider and discuss any such case with the designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures.

## **Forced marriage**

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published statutory guidance and Multi-agency guidelines, with pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmu@fco.gov.uk](mailto:fmu@fco.gov.uk).

## **Preventing radicalisation**

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools’ or colleges’ safeguarding approach. Extremism is the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the 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.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may

contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media) and settings (such as the internet). However, it is possible to protect vulnerable 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 designated safeguarding lead (or deputy) making a referral to the Channel programme.

### **The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the Counter Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the Revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76 which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

### **Additional support**

The DfE has published advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts other sources of advice and support.

There is additional guidance: *Prevent duty guidance: for further education institutions in England and Wales* that applies to colleges.

*Educate Against Hate*, a website launched by the Her Majesty's Government has been developed to support and equip school and college leaders, teachers, and parents with information, tools and resources (including on the promotion of fundamental British values) to help recognise and address extremism and radicalisation in young people. The platform provides information on and access to training resources for teachers, staff and school and college leaders, some of which are free such as Prevent e-learning, via the Prevent Training catalogue.

### **Channel**

Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages. Guidance on Channel is available at: Channel guidance, and a Channel awareness e-learning programme is available for staff at: Channel General Awareness.

The school or college's Designated Safeguarding Lead (and any deputies) should be aware of local procedures for making a Channel referral. As a Channel partner, the school or college may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required.

### **Peer on peer abuse**

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

## **Sexual violence and sexual harassment between children in schools and colleges**

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through 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 likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

### **What is Sexual violence and sexual harassment?**

#### **Sexual violence**

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. 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.

#### **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.

#### **Sexual harassment**

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline. 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 (schools and colleges 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) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; and
  - sexual exploitation; coercion and threats

### **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. 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.

### **Further Information on Self-harm and suicidal behaviour**

Definition - Self harm, self-mutilation, eating disorders, suicide threats and gestures by a child must always be taken seriously and may be indicative of a serious mental or emotional disturbance.

Refer to the Pan-Sussex Child Protection and Safeguarding Procedures for guidance on recognition, reporting and a child presenting at educational establishment.

## **4 RECOGNITION – WHAT TO LOOK FOR**

- 4.1 Staff members should refer to the detailed information about the categories of abuse and risk indicators in the *Pan-Sussex Child Protection and Safeguarding Procedures* for further guidance.
- 4.2 In an abusive relationship, the child may:
  - appear frightened of their parent(s)
  - act in a way that is inappropriate to their age and development, although full account needs to be taken of different patterns of development and different ethnic groups
- 4.3 In an abusive relationship, the parent or carer may:
  - persistently avoid child health services and treatment of the child's illnesses
  - have unrealistic expectations of the child
  - frequently complain about or to the child and fail to provide attention or praise
  - be absent
  - be misusing substances
  - persistently refuse to allow access on home visits by professionals
  - be involved in domestic violence and abuse
  - be socially isolated
- 4.4 Serious case reviews have found that parental substance misuse, domestic abuse and mental health problems, sometimes referred to as the ‘toxic trio’, if they coexist in a family could mean significant risks to children. Problems can be compounded by poverty, frequent house moves or eviction.

## **5 Children's Services Threshold Document**

- 5.1 The Children's Services Threshold Document has been developed so that everyone working with children has a common language for understanding the needs and risks surrounding children and their families.
- 5.2 For example, if BHMA/ESM has concerns about a child and needs advice or support from the Front Door For Families or Single Point of Advice, they will use the Threshold Document as a guide to understand the concerns and provide advice about what to do or to decide whether the child and family need social care involvement. The Threshold Document does not replace professional judgement, but it is intended to support decision-making and discussions between services and practitioners.
- 5.3 It is important that staff members are familiar with the Threshold Document, which can be accessed [here](#).
- 5.4 The Threshold Document shows that a child's or family's additional needs can be on a range from none to very high, and that needs can shift from early help to child protection and back to preventative early help. It covers children whose needs are increasing as well as children whose needs are decreasing after Children's Social Work Services involvement. The Threshold Document will help practitioners to identify the right level of support for the child in the least intrusive way while keeping the child safe.
- 5.5 The Threshold Document identifies four levels of need.

### Level 1:

- children who are achieving expected outcomes
- their needs are met by their parents and by accessing universal services such as health and education
- they do not have additional needs

### Level 2:

- children with additional needs
- parents need professional support or guidance to help them meet their children's needs
- extra support can usually be provided by agencies that already know the family, e.g. their pre-school, school or college or NHS community services such as Health Visiting

### Level 3:

- children with multiple and complex needs
- children and parents need targeted early help or specialist services to meet the children's needs
- needs are met through multi-agency support and the use of Early Help Plans

### Level 4:

- children with acute needs, including those in need of protection
- children and parents need multi-agency responses which include specialist intervention from Children's Social Work Services through the family assessment process

- 5.7 By referring to the Threshold Document, staff can identify when assessment and support for a child and family need 'stepping up' to a referral to Social Work Services and when the needs of a child and their family have been reduced enough for them to be 'stepped down' to early help services.

## **6 WHAT ACTION TO TAKE IF YOU HAVE CONCERNS ABOUT A CHILD**

<b>Staff member</b>	<b>What action to take if you have concerns</b>
Any member of staff, volunteer, contractor or activity provider	<ul style="list-style-type: none"> <li>• Discuss your concerns with the Designated Lead at the School in which you are working as a matter of urgency i.e. on the same day you have concerns. The BHMA/ESM Designated Lead should also be made aware of what has been reported to schools so that a record can be kept. It is important that the child is not sent home without taking the right protective action.</li> <li>• Complete the child protection incident/welfare concern form and pass it to the Designated Safeguarding Lead.</li> <li>• If the Designated Safeguarding Lead or their deputy is not available, you should contact Front Door for Families or the Single Point of Advice yourself. Inform the Designated Safeguarding Lead about what actions you have taken.</li> </ul>
Designated Child Protection Teacher	<p><b>You are concerned that the child is at risk of significant harm (Level 4 Threshold Document)</b></p> <ul style="list-style-type: none"> <li>• Contact Front Door For Families in Brighton &amp; Hove or Single Point of Advice in East Sussex immediately.</li> <li>• If you believe that the child is in immediate danger, or you suspect a crime has been committed, you must also contact the police immediately.</li> </ul> <p><b>You believe the child is not at risk of significant harm, but the child or their family may need support (Level 2 or 3 Threshold Document)</b></p> <ul style="list-style-type: none"> <li>• Use the Threshold Document to identify the level of need.</li> <li>• Discuss your concerns with senior colleagues in another agency, if necessary.</li> <li>• If your consultation results in the decision that the child and family are in need of help at Level 2 or 3 of the Threshold Document, provide additional support in the school and/or refer the child or their family to other agencies providing <b>early help services</b>.</li> <li>• Record all your consultations and decision-making on the <b>child protection incident/welfare concern form</b> sent by the staff member who contacted you originally. Update the chronology and add referral letters and forms to the child's file; create a stand-alone file, if one does not exist. Continue to update the file, including the chronology, as work progresses.</li> </ul>

## **7 DEALING WITH A DISCLOSURE MADE BY A CHILD – ADVICE FOR ALL MEMBERS OF STAFF**

- 7.1 If a child discloses that he or she has been abused in some way, the member of staff or volunteer should follow this guidance.
- Listen to what is being said without displaying shock or disbelief.
  - Only ask questions when necessary to clarify, and without suggesting what the answer might be.
  - Accept what is being said.
  - Allow the child to talk freely – do not put words in the child’s mouth.
  - Reassure the child that what has happened is not his or her fault.
  - Do not make promises that you may not be able to keep.
  - Do not promise confidentiality – it may be necessary to refer the child to Children’s Social Care.
  - Stress that it was the right thing to tell.
  - Do not criticise the alleged perpetrator.
  - Explain what has to be done next and who has to be told.
  - Inform the Designated Safeguarding Lead without delay.
  - Complete the child protection incident/welfare concern form and pass it to the Designated Safeguarding Lead.
  - Dealing with a disclosure from a child and safeguarding issues can be stressful. Consider seeking support for yourself and discuss this with the Designated Safeguarding Lead.

## **8 DISCUSSING CONCERNs WITH THE FAMILY AND THE CHILD – ADVICE FOR THE DESIGNATED SAFEGUARDING LEAD**

- 8.1 In general, you should always discuss any concerns with the child’s parents. They need to know that you are worried about their child. However, you should not discuss your concerns if you believe that this would place the child at greater risk or lead to loss of evidence for a police investigation.
- 8.2 **If you make a decision not to discuss your concerns with the child’s parents or carers** this must be recorded in the child’s child protection file with a full explanation for your decision.
- 8.3 When talking to children, you should take account of their age, understanding and preferred language, which may not be English. It is also important to consider how a disabled child may need support in communicating.
- 8.4 How you talk to a child will also depend on the substance and seriousness of the concerns. You may need to seek advice from Front Door for Families/Single Point of Advice or the police to ensure that neither the safety of the child nor any subsequent investigation is jeopardised.
- 8.5 If concerns have arisen as a result of information given by a child, it is important to reassure the child but not to promise confidentiality.
- 8.6 **It is expected that you discuss your concerns with the parents before making a Referral to Social Services, unless you consider that this would place the child at increased risk of significant harm.**
- 8.7 Parents will ultimately be made aware of which organisation made the referral.

## **9    EARLY HELP FOR CHILDREN AND FAMILIES**

The following section is primarily aimed at professionals working in schools, however there may be occasions when this is relevant to the work of BHMA/ESM staff.

- 9.1 Most parents can look after their children without the need of help other than from their family or friends. However, some parents may need additional help from their school or other services such as the NHS. Providing help early is more effective in promoting the welfare of children than reacting later.
- 9.2 BHMA/ESM will work together with other agencies to provide a coordinated offer of early help, in line with *Working Together to Safeguard Children July 2018* and local guidance, to any child who needs it.
- 9.3 We will pool our knowledge with schools and/ or other agencies about which families or children need additional support in a range of ways so that we can work out how best to help them. We will use the Threshold Document to identify what level of need the child or their family has.
- 9.4 We will work closely with targeted early help services, schools and via the Early Help Hub, and Children's Social Work Services if we feel families need more support and input, or children are at risk of harm, and we will continue to provide support if other services are also needed.
- 9.5 Within the Early Help Hub there are three teams working together to deal with enquiries and referrals:
  - The Support Team: The Support Team will take enquiries from practitioners and either deal with the enquiry themselves or pass it on to a colleague in another part of the Hub. They will recommend when a referral should be made to Early Help and manage the administration of all referrals that come in.
  - The Early Help Engagement Team: The Early Help Engagement Team will link with families that are 'stepped down' (previously known as re-directed) by Social Work to Early Help. This team will be the interface between Social Work and the Early Help Hub including 'step up' discussions.
  - The Family Mentoring Team: The Family Mentoring Team will offer mentoring, advice, guidance and support to professionals on all aspects of Early Help. They will have some limited involvement with families and processes such as Team Around the Family (TAF) meetings.
- 9.6 Early help support is accessed by making an Early Help Referral. Consent for this will need to be gained from the family first.
- 9.7 BHMA/ESM will work with other services in early help planning and coordination of interventions to meet young peoples and families.

## **10   CHILDREN'S SOCIAL CARE RESPONSES TO CONCERN ABOUT A CHILD**

- 10.1 Once Children's Social Work Services has accepted a referral as needing a social-care-led response (Level 4 of the Threshold Document), a senior social work practitioner and their manager will evaluate the concerns to identify the sources and levels of risk and to agree what protective action may be necessary.
- 10.2 The evaluation of concerns and risks involve deciding whether:

- the child needs immediate protection and urgent action is necessary; or
  - the child is suffering, or at risk of suffering, significant harm and enquiries need to be made under section 47 of the Children Act 1989; or
  - the child is in need and should be assessed under section 17 of the Children Act 1989.
- 10.3 We will cooperate with Children's Social Work Services and the police in any emergency action they take using their legal powers for immediate protection of the child. This may involve removing the child from their home.
- 10.4 We will participate in any multi-agency discussions (strategy discussions), if invited to do so, and share information about the child and their family to plan the response to concerns.
- 10.5 We will share information about the child and their family for section 47 enquiries and family assessments undertaken by Children's Social Work Services.
- 10.6 We will ensure that a relevant staff member participates in all initial and review child protection conferences, if we are invited to attend. The staff member will work together with other agencies to discuss the need for and agree to an outcome-focused child protection plan and will ensure that the child's wishes and views are considered in their own right in planning.
- 10.7 If we are members of the core group to implement a child protection plan, we will ensure a relevant staff member participates in all core group meetings.
- 10.8 We will ensure that we complete all actions allocated to us as part of the outcome focused plan, whether a child protection plan or a family support plan, in a timely way.
- 10.9 We will continue to monitor children once their plans are ended to ensure that they are supported and kept safe.

## **11 INFORMATION SHARING AND CONSENT**

- 11.1 It is essential that people working with children can confidently share information as part of their day-to-day work. This is necessary not only to safeguard and protect children from harm but also to work together to support families to improve outcomes for all.
- 11.2 BHMA/ESM staff may have to share information about parents or carers, such as their medical history, disability or substance misuse issues, for investigations of child abuse carried out by Children's Social Work Services.
- 11.3 We will proactively seek out information as well as sharing it. This means checking with other professionals whether they have information that helps us to be as well informed as possible when working to support children.
- 11.4 The Data Protection Act 2018 and the General Data Protection Regulations 2018 are not barriers to sharing information and do not change duties under safeguarding. They are there to ensure that personal information is managed in a sensible way and that a balance is struck between a person's privacy and public protection.
- 11.5 We should be sharing any concerns we have with parents at an early stage, unless this would put a child at greater risk or compromise an investigation. Parents need to know

what our responsibilities are for safeguarding and protecting children and that this involves sharing information about them with other professionals.

- 11.6 Be clear about the purpose of sharing confidential information and only share as much as you need to achieve your purpose.
- 11.7 Try to get consent from parents (or the child, if they have sufficient understanding) to share information, if possible. **However, you do not need consent if you have serious concerns about a child's safety and well-being.**
- 11.8 **Consent is not necessary** in cases where Children's Social Services are making child protection enquiries under section 47 of the Children's Act 1989. Information needs to be shared with Children's Social Services; staff members must make sure to record what information has been shared.
- 11.9 Consent is necessary for:
  - Children's Social Work Services investigations or assessments of concerns under section 17 of the Children Act 1989. Children's Social Care will assume that we have obtained consent from the parents to share information unless we make them aware that there is a specific issue about consent. This must be discussed with a social worker at Front Door for Families.
  - Early Help Assessments. Assessments are undertaken with the agreement of the child and their parents or carers.
- 11.10 If you are in any doubt about the need for seeking consent, get advice from the Designated Safeguarding Lead.
- 11.11 Keep a record of your decision to share information, with or without consent, and the reasons for it. Remember also that it is just as important to keep a record of why you decided not to share information as why you did so.

## **12 RECORD KEEPING**

- 12.1 Good record keeping is an important part of our accountability to children and their families and will help us in meeting our key responsibility to respond appropriately to welfare concerns about children.
- 12.2 Records should be factual, accurate, relevant, up to date and auditable. They should support monitoring, risk assessment and planning for children and enable informed and timely decisions about appropriate action to take.
- 12.3 The Designated Safeguarding Lead will ensure that records are maintained appropriately for children with safeguarding concerns and that stand-alone files are created and maintained in line with requirements of the above guidance.

## **13 PROFESSIONAL CHALLENGE AND DISAGREEMENTS**

- 13.1 Working with children and families, and in particular child protection work, is stressful and complex, as well as involving uncertainty and strong feelings. To ensure that the best decisions are made for children, we need to be able to challenge one another's practice.

- 13.2 We will promote a culture within BHMA/ESM that enables all staff members to raise, without fear of repercussions, any concerns they may have about the management of child protection. This may include raising concerns about decisions, action and inaction by colleagues about individual children. If necessary, staff members will speak with the Designated Safeguarding Lead, the head of service or with the Local Authority Designated Officer.
- 13.3 Cooperation across agencies is crucial; professionals need to work together, using their skills and experience, to make a robust contribution to safeguarding children and promoting their welfare within the framework of discussions, meetings, conferences and case management.
- 13.4 If there are any professional disagreements with practitioners from other agencies, the Designated Safeguarding Lead or the head of service will raise concerns with the relevant agency's safeguarding lead in line with guidance in the *Pan-Sussex Child Protection and Safeguarding Procedures*.
- 13.5 If the head of service or Designated Safeguarding Lead disagrees with the child protection conference chair's decision, they will consider whether they wish to challenge it further.

## **14 SAFER RECRUITMENT**

- 14.1 BHMA/ESM has robust recruitment and vetting procedures to help prevent unsuitable people from working with children.
- 14.2 Job advertisements and application packs make explicit reference to our commitment to safeguarding children, including compliance with disclosure and barring regulations and clear statements in the job description and person specification about the staff member's safeguarding responsibilities.
- 14.3 All staff members who have contact with children, young people and families will have appropriate pre-employment checks in line with *Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges September 2020*.
- 14.4 Where appropriate, all staff members who have contact with children and young people aged 8 years old and under, will be informed of their obligation to make declarations about household members, in line with [Disqualification under the Childcare Act 2006](#).
- 14.5 At least one member on every short listing and interview panel will have completed safer recruitment training.

## **15 PROCEDURE FOR MANAGING ALLEGATIONS OF ABUSE MADE AGAINST BHMA/ESM STAFF MEMBERS**

- 15.1 BHMA/ESM takes seriously all allegations of abuse made against staff members, including volunteers, and will investigate them in line with the statutory guidance, *Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges 2020* and *Pan-Sussex Child Protection and Safeguarding Procedures*.
- 15.2 The process described below is a summary of the procedure described in the above documents. The case manager for the investigation should refer to them for details.
- 15.3 **The procedure applies to all adults working for BHMA/ESM** i.e. all permanent,

temporary and administrative staff, volunteers, contractors and external service or activity providers (**collectively referred to as staff or staff members** in this procedure).

15.4 The allegations management procedure will be used in all cases where it is alleged that a staff member, has:

- behaved in a way that has harmed a child, or may have harmed a child; or
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates that they would pose a risk of harm if they work regularly or closely with children.

15.5 Allegations may arise in a number of ways, for example a report from a child, a complaint from a parent, or a concern raised by another adult within the school. An allegation may concern someone's behaviour or actions within their job or a voluntary activity, or within their family or private life.

15.6 **Any concerns will be considered in the context of the four types of abuse** (see section 2 above).

15.7 Concerns include inappropriate relationships between adults and children. For example:

- a sexual relationship between a child under 18 and an adult in a position of trust with them, even if the relationship may appear to be consensual;
- grooming, i.e. meeting a child under 16 with intent to commit a relevant offence (section 15 of the Sexual Offences Act 2003); or
- other behaviour that gives rise to concerns, such as possession of abusive images of children or inappropriate contact through texts or online, inappropriate messages, gifts or socialising with children.

15.8 If an allegation or concern arises about a staff member outside of their work with children, and this may present a risk to children for whom the staff member is responsible, the general principles outlined in these procedures will still apply.

15.9 **Roles and responsibilities:**

- **Anyone who has concerns** about, or has received an allegation about, the behaviour of a staff member **needs to report the concerns immediately to the head of service. In the absence of the head of service, or if the head of service is the subject of the allegation, concerns must be reported to the Local Authority Designated Officer (LADO).**
- The **head of service will act as the case manager** for investigations of allegations and liaise with the **LADO**.
- An HR officer will act **as the case manager**, if the allegation is made against the head of service.
- The **LADO** is involved in the overall management and oversight of individual cases. They will provide advice and guidance to the case manager, liaise with the police and other agencies and monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

15.10 **Initial action by the person noticing concerns or receiving an allegation first:**

- Treat the matter seriously and keep an open mind.
- Do not make assumptions or offer alternative explanations.
- Do not investigate or ask leading questions, if seeking clarification.

- Do not promise confidentiality, but give assurance that the information will only be shared on a need-to-know basis.
- Act quickly.
- Make a written record of the information. Where possible, record the exact words of the person making the allegation or the child's own words.
- Record the time, date and place and names of people present when the allegation was made or concerning behaviour was observed. Record the time, date and place of alleged incidents, persons present and what was said, if these were mentioned by the person making the allegation.
- Sign and date the written record.
- Immediately report the matter to the head of service, as in 15.9 above and give them the written record.

**15.11 Initial response by the case manager:**

- Do not investigate the matter immediately or interview the staff member or the child concerned.
- Obtain written details of the concern or allegation, signed and dated by the person reporting it. Countersign and date the written details and record the decisions made and the reasons for those decisions.
- Contact the LADO immediately to report the allegation and for a consultation. The allegation must be reported within one day at the most.
- If the allegation requires immediate attention but is received out of hours, contact the Children's Services Emergency Duty Team or the police and inform the LADO as soon as possible.
- Refer allegations against a staff member who is no longer working for BHMA/ESM to the police in the first instance and then inform the LADO.

**15.12 Initial consideration of the allegation by the case manager and the LADO:**

- The case manager and the LADO will consider the nature, content and context of the allegation and agree a course of action, including whether further information is needed.
- The case manager may need to obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations in the past and the staff member's current contact with children.
- If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or likely to suffer significant harm, the LADO will refer the case to Children's Social Work Services and ask them to convene a strategy discussion.
- The LADO will consult the police if a criminal offence may have been committed. If the threshold for significant harm is not reached but a police investigation may be needed, the LADO will immediately inform the police.
- If an investigation by Children's Social Work Services or the police is not necessary, the case manager and the LADO will discuss the options open to the school depending on the nature of the allegation and the evidence available. This will range from taking no further action to dismissal or a decision not to use the staff member's services in the future.
- If the initial evaluation leads to no further action against the staff member concerned, the decision and justification should be recorded by both the case manager and the LADO. Agreement should be reached on what information should be put in writing to the individual and what action should follow, including informing the person who made the allegation originally.

### **15.13 Persons to be notified:**

- After consultation with the LADO, the case manager should inform the accused person about the allegation as soon as possible.
- **However, if a strategy discussion is needed, or the police or Children's Social Work Services need to be involved, the case manager should not inform the accused person until those agencies have been consulted and have agreed what information can be disclosed to the individual.**
- In principle, the case manager should inform the parents or carers of the children involved about the allegation. The LADO should be consulted first to ensure that this will not impede any investigation or disciplinary process. In some cases, the parents or carers may need to be informed right away, e.g. if a child is injured and needs medical attention.
- The parents or carers and the child, if sufficiently mature, should be helped to understand the process and kept informed about the progress of the case and the outcome if no criminal prosecution will take place.

### **15.14 Confidentiality:**

- Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated. Information should be restricted to only those who need to know in order to protect the children concerned, carry out the investigation and manage the disciplinary process.
- The Education Act 2011 introduced **reporting restrictions** preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school.
- Reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about the investigation or decision from the disciplinary process. Reporting restrictions also cease if the accused person goes public themselves, thereby waiving their right to anonymity.
- Breaching reporting restrictions is a criminal offence. Therefore, the case manager should inform the parents or carers concerned about the implications of publishing details of the allegation on social networking sites. They should be advised to seek legal advice, if they wish to apply to court for removal of reporting restrictions.
- The case manager should discuss with the LADO how best to manage speculation, leaks and gossip within the school and the community at large, and press interest, if it arises.

### **15.15 Supporting people:**

- BHMA/ESM together with Children's Social Work Services and the police, if they are involved, will consider the impact on the child concerned and provide support as appropriate.
- The head of service will ensure that the child and family are kept informed of the progress of the investigation.
- The staff member who is the subject of the allegation will be advised to contact their union, professional association or a colleague for support.
- HR will be consulted at the earliest opportunity to ensure that the staff member is provided with appropriate support, if necessary, through occupational health or welfare arrangements.
- The head of service will appoint a named representative to keep the staff member updated on the progress of the investigation; this will continue during any police or section 47 investigation or disciplinary investigation.

#### **15.16 Managing risk during the investigation:**

- The perceived level of risk during the investigation needs to be considered and managed. In some situations the level of risk may require the staff member not to be working with specific children or all children until the investigation is completed.
- There are several options open to the employer, including:
  - redeployment so as not to come into direct contact with one or more children; or
  - refraining (agreeing that the person will not work with children during the investigation); or
  - suspension.
- Refraining and suspension should be considered as neutral acts and should not be automatic. Suspension should be considered only in cases where there is cause to believe children in the school are at risk of harm or the allegation is so serious that it might be grounds for dismissal.
- Decisions about risk are best made in a multi-agency forum such as the strategy discussion. The LADO will canvass the views of the agencies participating and inform the case manager. However, only the employer has the power to refrain or suspend.
- Possible risks to the children involved and any children in the accused staff member's home, work or community life will be evaluated and managed.

#### **15.17 Timescales:**

- Cases will be resolved as quickly as possible, consistent with a thorough and fair investigation.
- It is expected that the majority of cases should be resolved within one month and all but the most exceptional cases should be resolved within 12 months.
- However, the timing will depend on the nature, seriousness and complexity of the case and the right outcome is far more important than meeting timescales.
- Cases where it is immediately apparent that the allegation is unsubstantiated or malicious should be resolved within one week.
- BHMA/ESM should discuss the timing of actions with the LADO for all allegations that do not require police involvement but for which there are child protection concerns.
- If the nature of the allegation does not require formal disciplinary action, the appropriate action should start within three working days.
- If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

#### **15.18 Resignations and compromise agreements:**

- The allegation will be investigated according to procedure, even if the accused staff member resigns or ceases to provide their services.
- Every effort will be made to reach a conclusion to the case should the staff member refuse to cooperate, having been given a full opportunity to answer the allegation and make representation.
- Although it would not be possible to apply disciplinary sanctions if the period of notice expires before the conclusion of the investigation, the outcome of the disciplinary process will be recorded.
- 'Compromise/settlement agreements', will not be used for example where the staff member agrees to resign provided that disciplinary action is not taken and that a future reference is agreed.

#### **15.19 Outcomes of investigations of allegations:**

- **Substantiated** – there is sufficient evidence to prove the allegation

- **Malicious** – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False** – there is sufficient evidence to disprove the allegation
- **Unsubstantiated** – there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

#### **15.20 Disciplinary or suitability process and investigations:**

- The LADO and the case manager will discuss whether disciplinary action is appropriate in all cases where:
  - it is clear at the outset, or decided by a strategy discussion, that a police investigation or section 47 enquiry is not necessary; or
  - the police or the Crown Prosecution Service informs that the criminal investigation and subsequent trial are complete, or that an investigation is to be closed without charge, or prosecution is discontinued.
- The discussion will consider any potential misconduct or gross misconduct by the staff member, and take into account:
  - the information provided by the police and Children's Services;
  - the result of any investigation or trial; and
  - the different standards of proof in disciplinary and criminal proceedings.
- In the case of supply, contract or volunteer workers, the LADO and the case manager will work with the providing agency in deciding whether to continue using the person's services or whether they can provide future work with children or whether to report them for barring considerations.

#### **15.21 Record keeping:**

- The case manager will keep a clear and comprehensive summary of the case record and provide a copy to the accused staff member. A copy of the record should also be given to the LADO.
- The record will include details of how the allegation was investigated and resolved and the decisions reached. It will be completed in collaboration with the LADO.
- Details of allegations that are found to be malicious will be removed from personnel records.
- In the case of all other allegations, the summary will be placed in the staff member's personnel file and kept until the person reaches retirement age or for a period of 10 years from the date of the allegation, if that is longer.

#### **15.22 References:**

- If the allegation was proven to be malicious, false or unsubstantiated, it will not be included in any references for the staff member.
- A history of repeated concerns or allegations which have all been found to be malicious, false or unsubstantiated will also not be included in any references.

#### **15.23 Informing the Disclosure and Barring Service (DBS):**

- The LADO will discuss with the case manager whether BHMA/ESM will refer the staff member to the DBS and, in the case of a teacher to the National College for Teaching and Leadership (NCTL), if the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, or the person resigns or ceases to provide their services.
- **It is a legal requirement for organisations to refer to the DBS anyone:**
  - who has harmed, or is likely to harm, or poses a risk of harm to a child; or
  - if there is reason to believe that they have committed one of a number of listed offences (as set out in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009), and

have been removed from working in paid or unpaid regulated activity or would have been removed had they not left.

## **Online Lessons Safeguarding Policy**

The following information was developed in April 2020 to support the safeguarding of pupils and teachers when specifically engaged in online learning. This appendix outlines guidance and expectations that to promote the highest standards of safeguarding for all pupils in an online setting and should be read in conjunction with the BHMA/ESM Child Protection and Safeguarding Policy and Procedures, which forms Section 2 of the Brighton Dome & Brighton Festival Safeguarding and Child Protection Policy.

### **18.1 Arrangements for Online Lessons**

- All teachers must use their brightondome.org emails addresses or another secure password protected platform to arrange lessons. On no account must a Teacher's personal email address or other contact details be used to arrange lessons.
- Details about the lesson dates/times, including how to gain access to the lesson, must not be shared on any social media platforms or with anyone other than for whom it is intended.
- Timetables showing attendees, dates and times must be shared with BHMA/ESM so that the provision of lessons can be monitored.
- Parents/Carers or older siblings (age 14+) of KS1, KS2 and KS3 pupils will be expected to login to the lesson and be present at the beginning to ensure everything is set up correctly.
- Pupils in KS4 (Year 10 and above) may be sent the lesson log in details by parents/carers at their discretion.
- Lessons are expected to start and finish at the times confirmed in the lesson schedules sent to parents/carers and BHMA/ESM.

### **18.2 Professional Expectations**

- Teachers must follow the same professional guidelines when teaching online lessons as are expected in schools.
- Teachers should be aware of the additional potential risks to both pupils and teachers when providing online lessons and have a suitable level of training and understanding to be able to support lesson delivery.
- Teachers must wear their BDBF ID badge when providing online lessons.
- Teachers must dress in an appropriate way, similar to when teaching in schools.
- Teachers should create an environment that responds to pupils' needs and supports learning whilst being aware of their wider well-being.
- Teaching must take place in an appropriate space with a neutral background which is free from particularly personal possessions. A living room, dining room or music room is ideal, but private or personal spaces are not considered to be suitable unless they are screened.
- Teachers must maintain appropriate professional boundaries, as in a lesson that takes place during school.
- Teachers should enable pupils to wait in the "waiting room" before their lesson so that only those invited to the lessons can attend.
- Teachers will "Lock" the room once all attendees are present to prevent anyone else from joining the lesson.
- Teachers must not use any internal or external recording facility to record any part of the lesson.

- Teachers must terminate a lesson if there is any inappropriate behaviour or activity that causes safeguarding concerns. Where there are concerns about safeguarding, teachers will inform the Designated Safeguarding Lead in the usual way.

### **18.3 Expectations for Attending Lessons**

- As far as possible, pupils should adopt a similar approach to attending online lessons to how they would attend a lesson in schools or at a music centre venue.
- Pupils must dress appropriately e.g. how they may present themselves at school on a non-uniform day. Teachers reserve the right to terminate lessons if pupils are dressed inappropriately e.g. is not acceptable to attend a lesson wearing pyjamas).
- The environment should be appropriate and conducive to learning. A communal area free from interruption is ideal, a pupil's bedroom is not suitable unless the bed is suitably screened.
- Parents/Carers or older siblings (age 14+) of KS1, KS2 and KS3 should attend the beginning of each lesson to ensure that the pupil is suitably prepared and the equipment is set up correctly. They may choose to be present throughout or be available nearby to support the delivery of the lesson if needed.
- Parents/Carers of KS4 and KS5 pupils should ideally be available if needed to help with any matters regarding the delivery of the lesson.
- Parents/Carers or siblings (aged 14+) of KS1, KS2 and KS3 pupils are responsible for logging out of the lesson once it has ended. KS4 and KS5 pupils may log out of the lesson themselves at the discretion of their parents/carers.
- Pupils should follow their schools' guidance regarding online safety when accessing other web-based platforms or websites that may support instrumental learning.

## **APPENDIX C**

### **Linked Policies**

The following policies also support effective safeguarding:

- Supporting Pupil Attendance Policy
- Complaints procedure
- Equalities Policy
- Guidance for Staff Working with Children and Young People
- Health and Safety Policy and other linked policies and risk assessments
- ICT Acceptable Use Policy
- Looked After Children and Music Policy
- Offsite Activities and Educational Visits Policy
- Pupil Images Policy
- Recruitment and Selection Policy and procedures
- Teachers' Standards, Department for Education guidance available on [GOV.UK website](#)
- Social Media Policy
- Staff code of conduct/behaviour policy
- Whistleblowing Policy

