

Elm Court School



Child Protection Policy

Elm Court School is committed to providing a secure environment for students, where students feel safe and are kept safe. All adults at Elm Court School know that safeguarding is everyone's responsibility irrespective of the role they undertake or whether their role has direct contact or responsibility for students. In adhering to this policy, and the procedures therein, staff and visitors will promote a climate where students and adults will feel confident about sharing any concerns that they may have about their own safety or the well-being of others and will contribute to Elm Court School's delivery of the outcomes to all students, as set out in s10 (2) of the Children's Act 2004¹. This Child Protection Policy is one element in our whole school arrangements to Safeguard and Promote the Welfare of Children in line with our statutory duties set out at s175 of the Education Act 2002.

Our school's Child Protection Policy also draws upon the guidance contained in "Working Together 2013", the "London Child Protection Procedures" and DfE Guidance "Safeguarding Children and Safer Recruitment in Education". These documents are kept in the Headteacher's Office.

We recognise that safeguarding is more than contribution to Child Protection matters and we will use the curriculum generally, and PSHE in particular, to ensure our students recognise risk and build resilience to manage any such risk themselves where appropriate to age and ability. Students will be encouraged to make use of internal systems, such as informing an adult to whistle blow or raise any issue of safety in confidence. We also recognise and accept that students have a right to be heard and will additionally facilitate this by ensuring any concerns are listened to, recorded and dealt with according to this policy and using the School Council as the student voice, and where applicable we will review and modify our policies accordingly. Additionally we will work in partnership with parents and carers and will encourage parents and carers to comment on and contribute to the evolution of our policies.

In liaising with parents and carers we will ensure that they are reminded that Elm Court School has a duty to report concerns that we may have over the safety or well-being of a student as part of our statutory duties to protect students from significant harm and/or neglect. Parents and carers will also be reminded that, where appropriate, any referral will be discussed with parents and carers before the referral is made, however parents and carers will not be contacted nor will the referral be discussed where it is felt that to do so will place the student at an increased risk of harm.

In any event parents and carers will be reminded that all referrals are made in the best interest of the student.

Where a student is subject to a Child Protection Plan the Designated Lead for Child Protection will monitor the student and the plan and ensure that the recommendations for Elm Court School as part of that CP Plan are delivered upon.

The Headteacher will also ensure that a member of staff is appointed as a Designated Teacher for Children Looked After (CLA). This person and the Inclusion Co-ordinators will

contribute to the 'in care reviews' and/or case conferences of CLA students and to the student's Personal Education Plan (PEP).

¹ *the physical, mental health and emotional well-being of children; the protection of children from harm and neglect; the education, training and recreation of children; the contribution made by them to society; and their social and economic well-being.*

In delivering our responsibilities as set out in this policy, Elm Court School will develop effective links with relevant agencies and co-operate with their child protection enquiries as appropriate, this will include attendance at Child Protection Conferences and Reviews, Core Group Meetings, and CLA Reviews as necessary.

Child Protection

All staff at Elm Court School must recognise and accept that students have a fundamental right to be protected from harm. In upholding this fundamental right we recognise that there are four definitions of child abuse, including neglect, as defined in Chapter 4 of the London Child Protection Procedures and as précised in this policy, which should be consulted as a reference document for full details of the definitions and recognition & response.

The four categories of student abuse are as follows:

1. Physical Abuse
2. Emotional Abuse
3. Sexual Abuse, and
4. Neglect

Physical Abuse

May include: Hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm to a student including the deliberate fabrication or causation of illness in a student (now known as Fabrication or Induced Illness FII).

May be recognised by: Physical injury such as bruising, bite marks, burns and scalds, fractures but also by aggressive behaviour or learning difficulties due to neurological damage. It may also be an indicator of concern where a parent gives an explanation inconsistent with the injury or gives several different explanations for the injury. Other indicators of physical abuse may include flinching or cowering and accounts of how injuries have happened may be vague to inconsistent or are unexplained. Students may wear inappropriate clothing to cover marks or injuries and/or may be reluctant to go home.

It is not uncommon for students to have accidental bruises but bruising on the face, around the eyes, around the mouth, behind the ears or consistent with a grab or have the shape of an object (E.G brush, slipper, belt, hand etc) must be considered as possible indicators of harm as should multiple or repeated bruising to an area such as the head or an area unlikely to be bruised accidentally.

It is not appropriate for any member of staff to undress, photograph or body map any student in an attempt to see physical injury, this is the role of child protection and investigating agencies.

Emotional Abuse

May Include: The persistent emotional ill-treatment of a student such as to cause severe and persistent adverse effects on the student's emotional development, mental health, behaviour and self-esteem. This may be caused by conveying to students that they are worthless, unloved or unvalued or by developmentally inappropriate expectations being made or by causing students to frequently feel frightened or the exploitation or corruption of students.

May be recognised by: Developmental delay, attachment issues, aggressive behaviour, appeasing behaviour, watchfulness or stillness, low self esteem, withdrawn or a loner, or having difficulty in forming relationships. Persistent negative comments to the student by a parent or professional may be an indicator, equally making inappropriate or inconsistent expectations of a student especially in relation to their age.

Emotional abuse may be difficult to recognise as signs are usually behavioural rather than physical. Signs of emotional abuse may be associated or similar to other forms of abuse so presence of emotional abuse may indicate other abuse is prevalent as well.

Sexual Abuse

May Include: Involving or forcing or enticing a student to take part in sexual activities, whether or not the student is aware of what is happening. Such activities may involve sexual acts (penetrative or non-penetrative) or may include involving students in watching or taking part in pornographic material or to encourage students to behave in sexually inappropriate ways.

May be recognised by: Inappropriate sexualised conduct, age inappropriate sexualised play or conversation, sexually harmful behaviour – contact or non-contact, self-harm, eating disorders, continual, inappropriate or excessive masturbation, anxiousness or unwillingness to remove clothes – sports / PE etc, pain or itching in genital area, blood on underclothes, bruising in genital region and / or inner thighs etc.

A sexually abused student may also be recognised by disturbed behaviour such as sadness, depression or loss of self-esteem. Disclosure of sexual abuse must be taken seriously as it is recognised that students are frequently scared to disclose due to guilt or fear and often students have taken great courage to disclose – therefore it is important not to minimise or give your own view or interpretation of their account.

All staff must be aware that a student under the age of 13 years is not legally capable of consenting to sexual activity and so sexual activity with a student under 13 is an offence under the Sexual Offences Act. Such activity will be taken to indicate that that student(s) are at risk of significant harm and must be referred accordingly in line with the agreed procedures as set out in the London Child Protection Procedures. Sexual activity with a student under 16 is also an offence but may possibly be less serious than that of a student under 13, especially where students are of a similar age and there is no power imbalance, coercion, or disinhibiter such as alcohol or drugs involved. However serious consideration will always need be given as to whether to refer where cases of sexually active students become known or are disclosed; as per the London Child Protection Procedures. In all cases you must discuss your concerns or share your knowledge with our Designated Senior Person for Child protection for consideration of a referral to Social Care.

In light of the above all staff must recognise that sexual abuse of students may equally be perpetrated by other students and must not be treated with any less rigour in such cases.

Neglect

May include: The persistent failure to meet a student's basic physical and/or psychological needs, likely to result in the serious impairment of the student's health or development (growth and intellect) such as failing to provide adequate food, shelter (including keeping students safe), clothing, or neglect of or unresponsiveness to a student's basic emotional needs.

May be recognised by: Being constantly hungry; constantly tired; have a poor state of clothing; be emaciated; have untreated medical problems; be frequently late or have poor or non-attendance at school; have low self-esteem; display neurotic behaviour and/or have poor social relationships, have poor personal hygiene. A neglected student may also be apathetic, fail to thrive, be left with or in the care of adult's under the influence of alcohol or drug misuse, or be left home alone².

² *Whilst there is no set age in law for a child to be legally left home alone the responsibility rests with the parents to make satisfactory arrangements for the care of their children and must not leave their children unsupervised "in a manner likely to cause un-necessary suffering or injury to health of the child". A referral will be made to Social Care where our school has concerns that the arrangements that a parent makes is unsafe and thus renders the child/ren at risk of significant harm; this may include independent travel arrangement and collection / escorting arrangements by others, including siblings, that the school considers unsafe.*

Bullying

Bullying is a specific form of abuse which may be prevalent in schools and is defined as deliberately hurtful behaviour, usually repeated over a period of time where it is difficult for the victims to defend themselves. The extent of bullying can include emotional and/or physical harm to such a degree that it constitutes significant harm, as set out in the definitions above, due to the extent to which it affects the health or development of the student subject to the bullying behaviour. Bullying may also be perpetrated within digital or ICT based environments, sometimes known as Cyber-Bullying, and may include 'Sexting'; which must be treated as seriously as any other form of bullying and dealt with accordingly. Please, additionally, see our Acceptable Use Policy

It must be noted that bullying may also constitute criminal behaviour and therefore certain instances of bullying may need to be reported to the police.

Please refer to our separate Anti-Bullying Policy and Acceptable Use of Digital Technologies Policy for further information.

Domestic Violence

We recognise that Domestic Violence (DV) usually impacts on all aspects of a student's life only varying according to the student's resilience or otherwise to his or her particular circumstances. We also recognise that even where the student is not the direct target of the DV the harm caused to the student can be significant through emotional and physical abuse and often neglect as the victim's capacity to parent effectively and protect their child/ren is diminished through a preoccupation with their own survival at the expense of an awareness of the effect that the abusive relationship is having on their child/ren

At Elm Court School we will be alert to the possibility of Domestic Violence and allow an opportunity for the abused partner (predominantly the woman but not exclusively so) to disclose. We will treat that disclosure sensitively and refer the matter to Social Care where there is a student or child/ren at risk of significant harm and/or neglect.

We also recognise that other practices are defined as Domestic Violence, such as Forced Marriage and Female Genital Mutilation

Forced Marriage

In Elm Court School we recognise that forced marriage as an abuse of human rights and a form of domestic abuse and, where it affects children and young people, child abuse.

Forced marriage, as distinct from arranged marriage, is conducted without consent and under duress. We therefore accept that coercion and duress may be perpetrated by partners but also by extended family members and that this constitutes Domestic Violence, in line with the Government's definition of domestic violence and is closely linked to Honour Based Violence.

In cases of forced marriage we will follow the guidance as set out in the London Child Protection Procedures as a student who is being forced into marriage is at risk of significant harm through physical, sexual and emotional abuse. If any member of staff receives a disclosure or is aware that a Forced Marriage is about to happen this must be disclosed to the Designated Senior Person for Child Protection without delay so that the appropriate referrals may be made and/or protective measures may be put in place, especially as the child/ren may be taken out of the country.

Female Genital Mutilation

It is accepted that some female students in our school may be at risk of being subject to Female Genital Mutilation (FGM). FGM is defined by the World Health Organisation as: all procedures (not therapeutic or essential surgical operations) which involve partial or total removal of the external female genitalia or injury to female genital organs for non-therapeutic reasons. FGM is considered as a cultural norm by some communities and some also consider FGM necessary for religious reasons.

We will always challenge such abusive cultural norms as the welfare and safety of the student is always paramount, equally we also recognise that FGM is not endorsed as a religious practice.

In any event it is illegal in the UK to subject any student to FGM or to take a student abroad to undergo FGM. Elm Court School will follow the procedures for dealing with cases of FGM as set out in the London Child Protection Procedures.

From a Child Protection perspective a student for whom FGM is planned is at risk of significant harm through physical and emotional abuse, it may also be considered as sexual abuse.

Typical identifiers are:

- Family comes from a community known to practice FGM
- Family/student talks about a long holiday
- Family/student may asked to be excused PE / swimming on return
- Family/student may confide that she is going to a 'special ceremony' when on holiday
- Female student is known to have a mother that has been subject to FGM
- Female student is known to have a sister that has already undergone FGM

Equally the student may be aware of what is going to happen and make disclosure or seek help.

If any member of staff receives a disclosure or is aware that a FGM is about to happen this must be disclosed to the Designated Senior Person for Child Protection without delay so that the appropriate referrals may be made and/or protective measures may be put in place, especially as the student may be taken out of the country.

Responsibility and Immediate Action

All adults working in Elm Court School (including visiting staff, volunteers and students on placement) are required to report instances of actual or suspected student abuse or neglect to the Designated Senior Teacher with responsibility for student protection. In Elm Court School a cause for concern form should be completed and given to the Designated Senior Teacher.

The Designated Senior Person for Student Protection is: Joanna Tarrant

The Deputy Designated Person for Student Protection is: Curtis Lewis

The Designated Teacher for Students Looked After is: Joanna Tarrant

Where there are signs that a student is suffering significant harm or is likely to suffer significant harm or is being neglected the Designated Senior Person for Child Protection may take advice before making a referral to Lambeth's Referral and Assessment (R&A) Duty Intake Team / Multi Agency Service Hub (MASH).

Where there are any doubts as to the seriousness of this concern or disagreement between the Designated Senior Teacher for Child Protection and the member of staff reporting the concern, advice will also be sought from Lambeth's Social Care Duty Team and the Local Authority Designated Lead Officer for Education (Graham Griffin) or his deputy.

In circumstances where a student has a suspicious injury that requires urgent medical attention, the CP referral process should not delay the administration of first aid or emergency assistance. If a student is thought to be at immediate risk (because of parental violence or intoxication, for example) urgent police intervention may be requested. Particular vigilance will be exercised in respect of students who are subject to a Child Protection Plan and any incidents or concerns involving these students will be reported immediately to Social Care (and confirmed in writing). In all cases of injury to a student consideration will always be given as to whether an urgent paediatric medical assessment is required to document injuries or to protect any forensic evidence.

Where it is suspected that a student may be at further risk of significant harm if the parent/carer is spoken to, nothing will be said to the student's parent/carer without first discussing the matter with Social Care R&A Duty.

Role of the Designated Senior Person for Child Protection

The Designated Senior Person for Child Protection works in line with the responsibilities as set out at Appendix 3 of the DfE Guidance outlined above in respect of referrals, training and awareness raising. The Designated Senior Person for Child Protection is the focus person and local 'expert' for school staff, and others, who may have concerns about an individual student's safety or well-being and is the first point of contact for external agencies that are pursuing C.P. investigations. The Designated Senior Person for Child Protection also co-ordinates the school's representation at C.P conferences and the submission of written reports for conferences (a meeting of all relevant agencies).When an individual

concern/incident is brought to the attention of the Designated Senior Person they will be responsible for obtaining advice from Lambeth CYPS Education Service's Lead Officer for Child Protection and/or consulting with Social Care as appropriate to decide whether or not this should be formally referred as a student protection case.

The Designated Senior Person for Child Protection will ensure that all child protection records are kept separately from student records are stored securely, by encryption and/or password protecting electronic files or ensuring that paper records are secured in a locked cabinet with restricted access.

The Designated Senior Person for Child Protection will have oversight of the delivery of school recommendations within Child Protection Plans and will keep the Governing Body as appropriate, advised of all such matters including where CP Plan recommendations are met or otherwise.

Governing Body

In line with the provisions set out in the DfE guidance 'Safeguarding Children and Safer Recruitment in Education' the governing body will challenge the school's senior leadership team on the delivery of this policy and monitor its effectiveness. Governors will review this policy every year and may amend and adopt it in accordance with any new legislation or guidance or in light of their quality assurance of the delivery of this policy and the overall safeguarding arrangements made.

In doing so neither the Governing Body nor individual governors have any role in dealing with individual student protection cases, except in the discharge of their functions in dealing with an allegation of abuse against the Headteacher. In cases of allegations against the Headteacher it will be the Chair of Governors who will carry out this statutory function; please see our 'Allegations Against Staff Policy'.

Training

Whole school in-service training will be organised for staff and governors at least every three years and will comply with the prevailing arrangements agreed by the Local Authority and LSCB and will be in line with the training groups outlined in 'Working Together to Safeguard Children 2010'. The Designated Senior Person for Child Protection will attend Lambeth CYPS and other training courses as necessary and the appropriate inter-agency training organised by organisations such as the Lambeth Safeguarding Children Board at least every two years. The Deputy Designated Senior Person will also be given the opportunity to attend these courses.

Supply and other temporary staff will be given a copy of this, and other relevant policies on arrival, and the procedures for recording and reporting Child Protection concerns specifically at Elm Court School will be given to the temporary member of staff by Vanessa Cawe (Network Manager, Data & Cover Officer).

Recruitment

The arrangements for recruiting all staff to our school will follow the DfE guidance for safer recruitment best practice in education settings and the prevailing staffing regulations, and guidance from the Disclosure & Barring Service (DBS). Elm Court School is a 'specified place' under the definition of Regulated Activity and therefore those that work in our school carries out work that is considered to be Regulated Activity. This means that all staff will be subject to stringent Safer Recruitment practice including a range of conditions such as

satisfactory references and an Enhanced Disclosure and Barring Service (DBS) check to include a Children's Barred List check. Volunteers will be subject an Enhanced DBS Check but without a Barred List Check as they will be suitably supervised in line with current Government guidance.

A single central record (SCR) will be kept of all vetting checks, which will also include verification of the member of staff's identity, any relevant qualifications and permission to work for non-EU nationals. In Elm Court School we will ensure that DBS checks are renewed every three years for all staff, and will be a condition of service. This full renewal may be waived where the member of staff subscribes to the DBS Update Service and the status check is satisfactory.

All staff in Regulated Activity, including teaching and student care/support staff, must by law be checked against the DBS's Children's List prior to their appointment as part of the vetting process, and a separate DBS Children's List check will be made where a DBS Check has been applied for but not returned by the start date for all staff working unsupervised in regulated activity. Our school will only use employment agencies that positively vet their supply staff and confirm in writing that DfE/DBS compliant checks have been carried out. Staff joining our school on a permanent or temporary basis will be informed of the CP policy and the school's Safeguarding arrangements as part of induction.

From 02 September 2013 we will also conduct a check of the DfE Prohibitions Order List for all teachers to verify they are not subject to a prohibition order or interim prohibition order or whether they have not attained qualified teacher status (QTS) or that they have had this status removed. Prohibition Orders relates primarily to teacher misconduct which may or may not be related to safeguarding matters. The check of the DfE Prohibitions Order List is in addition to the check of the DBS Barred List.

The single central record will include the status of these checks and date these checks were made and by whom.

Volunteers

In line with the guidance on safer recruitment from the DfE and the Disclosure & Barring Service (DBS), it is expected that all volunteers will be suitably supervised. Thus volunteers may be subject to an Enhanced DBS Check but without a check of the Children's barred list, as supervised activity does not fall under the definition of Regulated Activity.

Therefore all volunteers will work under the direct management of an established staff member, who is in Regulated Activity and vetted accordingly, and all volunteers will be subject to the same code of conduct as paid employees of our school. Elm Court School will provide volunteers with appropriate induction and volunteers will have a 'job description' pertaining to the volunteering role they are to perform.

All staff, including volunteers, will be inducted which will include the provision of schools policies and procedures, this will include temporary staff.

³ *Regulated Activity is work that a barred person must not do. Work is only considered to be Regulated Activity where it is carried out unsupervised at least once per week or more often, or on four or more days in a thirty day period, or overnight.*

Physical Intervention and Safe Working Practice

All staff (paid and voluntary) are expected to adhere to a code of conduct in respect of their contact with students and their families. Students will be treated with respect and any

rewards and sanctions should follow those detailed in our school's Behaviour Management Policy. Whilst it would be unrealistic and undesirable to preclude all physical contact between adults and students, staff should avoid placing themselves in a position where their actions might be open to criticism or misinterpretation. As noted in our Use of Reasonable Force Policy, force may be used to control or restrain students. Restraint or positive handling should only be used as a last resort. Where incidents occur that might otherwise be misconstrued or where it becomes necessary to physically restrain or use force to control a student this may be done so for the following reasons; for their own safety, the safety of others, to prevent a criminal act or to maintain good order and discipline. As per best practice advice such incidents will be recorded and reported to the Headteacher and may be reported to parents and carers as appropriate as per best practice advice. Our Use of Reasonable Force procedures are in line with DfE Guidance on the Use of Reasonable Force (July 2013). Refer to our separate policy on positive handling / restraint and the reasonable use of force.

For their own safety and protection, staff should exercise caution in situations where they are alone with students. Refer to our guidance on, One:One Working Safe Practice.

School staff should also be alert to the possible risks that might arise from contact with students outside of school, including contact when using digital technologies which should be for school purposes only and through school equipment/numbers/digital addresses, not personal equipment/devices or personal numbers, email addresses or other such sites. It is expected that staff will always decline requests from students to be 'friends' on social networking sites. The Headteacher must always be made aware of any such contact or approach from students.

First Aid should only be administered by qualified first aiders and, if it is necessary for the student to remove clothing for this treatment, there should be, wherever possible, another adult present. If a student needs help with toileting or washing after soiling themselves another adult should be present or within earshot. When students are admitted to our school, parents and carers will be asked to give permission for changing their wet or soiled clothes in school.

Where a student may require regular, intimate care e.g. nappy or incontinence pad changing parents/carers will be asked to sign a form giving their permission. Likewise, staff involved in the intimate care will be asked to sign a form indicating their willingness to be involved in the intimate care required. If a member of staff is providing any form of intimate care, another member of staff will, as far as possible, be present or nearby taking into account the student's right to privacy and dignity. As far as is practically possible, students will be asked whether they would like an adult of the same sex to be present.

Changing for P.E. lessons

All our students change for P.E. in our single sex areas.

Handling Complaints and Dealing with Allegations Against Staff

Complaints and Allegations are different, and are dealt with differently. Parents and carers have the right to make a formal complaint against the action of the school and/or its employees and such complaints will be dealt with in line with Elm Court School's Complaints Procedures. However where it is clear that the complaint fulfils the 'allegations test' the matter will be dealt with in line with the agreed Allegations Procedures and our complaints process will be suspended or even wholly replaced by the procedures for dealing with allegations against staff. These are set out in our separate 'Allegations Against Staff' Policy.

Elm Court School takes seriously all allegations made against members of staff. Mechanisms are in place for students, parents and carers and staff to share any concerns that they might have about the actions of any member of our school staff. All such allegations will be dealt with in line with our 'Allegations Against Staff Policy' and must be brought immediately to the attention of the Headteacher in order that the appropriate procedures may be followed.

All allegations will be dealt with in line with Chapter 5 of 'Safeguarding Children and Safer Recruitment in Education'.

Parents and carers should also be advised of their independent right to make a formal complaint to the Police.

If the allegation concerns alleged abuse by the Headteacher (also the Designated Senior Person) **must only** be brought to the attention of the Chair of Governors who will consult with CYPS' Education Services Lead Officer and/or CYPS Social Care.

Staff who are formally disciplined for any abuse of students (or who resign before disciplinary action can be instigated) will be notified to the Children and Young People's Service, if they are not already part of this process, and must be notified to the Disclosure and Barring Service, for their consideration of possible inclusion on their list of persons barred from working with children and young people.

Greater detail on the procedures for managing allegations against staff are to be found in our separate policy pertaining to this area as outlined above and the procedures set out in that policy should be followed in these circumstances

Records

Accurate written notes will be kept of all incidents or CP concerns relating to individual students. If a teacher or other staff have a student protection concern they should be recorded on a 'cause for concern' form these will be kept on the student's Child Protection file.

Child Protection records are not available to students or parents and carers due to the confidential nature of the content. Child Protection records are kept by the Designated Senior Person for Child Protection, separately from educational/student records, and can only be accessed by the Designated Senior Person (Headteacher) or their Deputy. Other members of our school's Senior Leadership Team may have access to certain information on a need to know basis as appropriate.

Where a student moves from Elm Court School any Child Protection records or files will be forwarded to any receiving school within five days of that new provision being confirmed. The CP file will be sent separately to the student file.

Retention and Destruction

Current timescales for the retention of Child Protection Records are D.o.B. +35 years after which they should be destroyed.

The general Student Record / Files is to be retained for D.o.B. +25 years after which they should be destroyed.

Policy Adoption, Monitoring and Review

This policy was considered and adopted by the Governing Body in line with their overall duty to safeguard and promote the welfare of students as set out at Chapter 2 of the DFE guidance 'Safeguarding Children and Safer Recruitment in Education'

Parents and carers will be issued with a hard copy of this policy on request. This policy will also be made available to parents and carers via the school website.

In Elm Court School the Headteacher will actively evaluate the effectiveness of this policy by monitoring the staff group's understanding and application of the procedures within this policy as their overall duty to safeguard students. This may include monitoring the appropriateness of cases referred internally to the Designated Senior Teacher for Child Protection and whether those cases referred to Lambeth CYPS Social Care met their threshold and were taken forward.