

Annan School

**Child Protection and Safeguarding
Policy and Procedures**

This policy was reviewed on 01/09/2016
This version was revised on 30/03/2017 with minor amendments

Key contacts

Role	Name	Contact details
Designated Safeguarding Lead	Mark Hunter	01825 841410
Deputy Designated Safeguarding Lead	Debby Hunter	01825 841410
Single Point of Advice (SPOA) (all level 3 and level 4 referrals) Targeted early help services for children with Level 3 needs The Council doesn't normally offer advice about Level 1 and 2 needs Mobile numbers are not alternatives to ringing SPOA with regard to referrals.	SPOA : Opening hours: Monday to Thursday 8.30am to 5pm Friday 8.30am to 4.30pm Email: spoa@eastsussex.gov.uk	01323 464222
	Emergency Duty Service – after hours, weekends and public holidays	01273 335906 01273 335905
	Family Keywork Central Team Tina Greenwood Early Help Key Work Manager Hastings, Rother and Wealden Mobile: 07834171519 tina.greenwood@eastsussex.gov.uk	
Local Authority Designated Officer (LADO)	Amanda Glover Local Authority Designated Officer East Sussex County Council Safeguarding Unit St Mark's House, 14 Upperton Road, Eastbourne, BN21 1EP Mob: 07825 782793 amanda.glover@eastsussex.gov.uk	01323 466606
East Sussex Local Safeguarding Children Board (LSCB)	The LSCB set the local procedures in relation to Safeguarding and Child Protection Email: lscbcontact@eastsussex.gov.uk	01273 481544
Prevent – concerns about Extremism and Radicalisation	Police Prevent Team – local Officer Naomi Watkinson naomi.watkinson@sussex.pnn.police.uk	Police: 101 or mob 07788 566585
	Department for Education counter.extremism@education.gsi.gov.uk	Helpline 020 7340 7264

This list was reviewed on 01/09/2016 (with minor amendments 30/03/17)

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Section 2

E-Safety and ICT Acceptable Use

See separate **Safeguarding - E-Safety and ICT Acceptable Use Policy**

Section 3

Keeping records of Child Protection

See separate **Safeguarding - Keeping records of Child Protection and Welfare Concerns Forms for all staff**

**A copy of this Policy is available on the school website
where links contained in blue will be active**

Child Protection and Safeguarding Policy

Introduction

- Safeguarding children is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.
- Our children's welfare is our paramount concern. The proprietors of the school will ensure that our school will safeguard and promote the welfare of children and work together with other agencies to ensure that our school has adequate arrangements to identify, assess and support those children who are suffering or likely to suffer harm.
- Our school is a community and all those directly connected, staff members, parents, families and children, have an essential role to play in making it safe and secure.

Our ethos

- We believe that our school should provide a caring, positive, safe and stimulating environment that promotes the social, physical and moral development of the individual child.
- We recognise the importance of providing an environment within our school 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 that all adults within the school, including permanent and temporary staff and volunteers, have a full and active part to play in protecting our children from harm.
- We will work with parents to build an understanding of the school's responsibilities to ensure the welfare of all children, including the need for referrals to other agencies in some situations.

Scope

- In line with the law, this policy defines a child as anyone under the age of 18 years.
- This policy applies to all members of staff in our school, including all permanent, temporary and ancillary staff, volunteers, contractors and external service or activity providers.
- The policy includes the **Early Years Foundation Stage (EYFS)** in all sections of this Policy including those shown under the heading **Roles and Responsibilities**. The school's policy on the **use of mobiles and cameras** is especially relevant to their use **in the EYFS**.

The legal framework

Section 157 of the Education Act 2002 places a duty on non-maintained and independent schools, including free schools and academies 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 children at the school.

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, 2015](#) (DfE)
- [Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2016](#) (DfE)
- [Pan-Sussex Child Protection and Safeguarding Procedures](#) East Sussex LSCB
- [Keeping Child Protection and Welfare Concerns: Guidance for Early Years Settings, Schools and Colleges](#) (East Sussex LSCB)
- [Safeguarding Children: A manual for early years practitioners working with children aged 0 to 5 years, May 2014](#) (East Sussex LSCB)
- [The Prevent Duty: Departmental advice for schools and childcare providers](#) June 2015 (DfE)
- [The use of social media for on-line radicalisation](#) July 2015 (DfE)
(How social media is used to encourage travel to Syria and Iraq)

Roles and responsibilities

In this policy the term 'Principal' applies to either Mark Hunter or Debby Hunter.

- The **Principal** will ensure that the policies and procedures of the school, together with the statutory guidance, are fully implemented and sufficient resources and time are allocated to enable staff members to discharge their safeguarding responsibilities. The school **Principal** also recognises their responsibility to protect children under *section 26 of the Counter-Terrorism and Security Act 2015 (The Prevent duty)*
- The school's lead person with overall responsibility for child protection and safeguarding, including the **EYFS**, is the **Designated Safeguarding Lead (DSL)**. We have one **Deputy Designated Safeguarding Lead (DDSL)** to ensure there is appropriate cover for this role at all times. The Designated Safeguarding Lead's responsibilities are described in Appendix A.
- The **case manager for dealing with allegations** of abuse made against school staff members is the Principal. The case manager for dealing with allegations against the Principal is the Local Authority Designated Officer (LADO). The procedure for managing allegations is detailed in Appendix B.
- The **school staff** are collectively responsible for ensuring that safeguarding arrangements are fully embedded within the school's ethos and reflected in the school's day-to-day practice.
- **All staff members, volunteers and external providers** know how to recognise signs and symptoms of abuse, how to respond to children who disclose abuse and what to do if they are concerned about a child.

Supporting children

- 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. Our school may be the only stable, secure and predictable element in their lives.
- 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.
- Our school will support all children by:
 - allowing time to listen to children in school and provide early help
 - ensuring the content of the curriculum includes social and emotional aspects of learning
 - ensuring to on-line safety is incorporated into our curriculum appropriate to the age of the children, enabling children and parents to learn about the risks of new technologies and social media and to use these responsibly. This includes teaching children how to stay safe on-line
 - ensuring that aspects of child protection are included in the curriculum to help children stay safe, recognise when they do not feel safe and identify who they might or can talk to
 - providing children 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
 - ensuring repeated bullying incidents, e.g. racist, homophobic, gender-based or disability-based bullying, are considered under child protection procedures
 - liaising and working together with other support services and those agencies involved in safeguarding children
 - monitoring children who have been identified as having welfare or protection concerns and providing appropriate support
- **Peer-to-peer allegations**
 - We will also support children in cases of alleged abuse by one or more children against another child, including sexting and other relevant issues (such as banter, sexual assaults, and gender based issues).
 - Children's behaviour such as bullying will be treated as a safeguarding issue when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'.
 - In the event of peer-on-peer abuse, all children involved, whether perpetrators or victim, will be treated as being 'at risk'.

Child protection and safeguarding procedure

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 school community in cases of suspected abuse. This is detailed in Appendix B.

- In line with the procedures, the relevant Children's Services Duty and Assessment Team will be notified as soon as there is a significant concern.
- The name of the Designated Safeguarding Lead will be clearly advertised in the school, with a statement explaining the school's role in referring and monitoring cases of suspected abuse.
- 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 and by referring to them in our introductory school materials.

Record keeping

All child protection and welfare concerns will be recorded and kept in line with the East Sussex Local Safeguarding Children Board guidance [Keeping Child Protection and Welfare Concerns: Guidance for Early Years Settings, Schools and Colleges](#).

- We will continue to support any child leaving the school about whom there have been concerns by ensuring that all appropriate information, including child protection and welfare concerns, is forwarded under confidential cover to the child's new school as a matter of priority.

Staff induction, training and development

- All new members of staff will be given induction that includes child protection training that includes the school's Child Protection Policy and the school's e-safety Policy. The induction of new staff will include a requirement to complete the online child protection training provided by the East Sussex Local Safeguarding Children Board. This training can be accessed from [Czone](#).
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- All staff will be given a copy of Part One of KCSIE, including new staff. Each time Part One of KCSIE is updated by the DfE, staff will be updated at a relevant staff meeting or by email. From September 2016 all staff who work directly with children will also be given Annex A of KCSIE.
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- Every year, the Designated Safeguarding Lead will provide a whole-school safeguarding training and update for all staff as part of the school's inset programme. This will include any changes to child protection legislation and procedures. If KCSIE has been updated since the last briefing this will be given to staff either as a hard copy or by electronic link and acknowledgement. The **Prevent** strategy – raising awareness, updates and refresher is part of this.
- The Designated Safeguarding Lead and the deputy DSL will undergo Child Protection training every two years. This 'refresher' for Designated Safeguarding Leads is organised by the LSCB. The school will retain a copy of the Certificate of Attendance for its records.
- The school will maintain accurate records of staff induction and training.

Oversight, Management and Review of Safeguarding

Annan is a proprietorial school and as such the Governance of the school lies with the proprietors. **The proprietor with lead responsibility for safeguarding is Mark Hunter** although the proprietors recognise that the safeguarding duties remain the responsibility of the proprietorial body as a whole.

As the proprietors are also the Principals of the school and they take the lead safeguarding and deputy safeguarding roles, the reporting and monitoring procedures are carried out by the same people. The Proprietors regularly discuss safeguarding arrangements and review updates of statutory guidelines, as well as current concerns, referrals and inter-agency workings, as an integral part of their management of the school.

The school's child protection policies are reviewed annually in consultation with the Leadership Team (teachers) to ensure there is a review of the effectiveness of the procedures and their implementation.

The school proprietors will ensure that action is taken to remedy without delay any deficiencies and weaknesses identified in child protection arrangements.

Inter-agency working

- We will develop and promote effective working relationships with other agencies, including agencies providing early help services to children, the police and Children's Social Care.
- 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.
- We will participate in serious case reviews, other reviews and file audits as and when required to do so by the East Sussex 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.

Safer workforce and managing allegations against staff and volunteers

- We will prevent people who pose risks to children from working in our school by ensuring that all individuals working in any capacity at our school have been subjected to safeguarding checks in line with the statutory guidance ***Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2016***
- Every job description and person specification will have a clear statement about the safeguarding responsibilities of the post holder.
- We will ensure that at least one member of every interview panel has completed safer recruitment training.
- 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 2016*](#). This procedure is detailed in Appendix B.

Confidentiality, consent and information sharing

We recognise that all matters relating to child protection are confidential.

- The Principal or the Designated Safeguarding Lead will disclose any information about a child to other members of staff on a need-to-know basis only.
- 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.
- All staff members have a professional responsibility to share information with other agencies in order to safeguard children.
- All our 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.
- 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.

Service and activity providers and work placement providers

- We will ensure that service and activity providers are aware of our school's child protection policy and procedures. We will require that employees and volunteers provided by these organisations use our procedure to report concerns.
- 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 2016***. If assurance is not obtained, permission to work with our children or use our school premises may be refused.
- If we commission services from other organisations, we will ensure that compliance with our policy and procedures is a requirement.

Whistle-blowing and complaints

- We recognise that children cannot be expected to raise concerns in an environment where staff members fail to do so.
- 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 Principal or with the Local Authority Designated Officer.
- We have a clear reporting procedure for children, parents and other people to report concerns or complaints, including abusive or poor practice.

Site security

- All staff members have a responsibility to ensure our buildings and grounds are safe and for reporting concerns that may come to light.
- We check the identity of all visitors and volunteers coming into school. Visitors are expected to sign in and out in the visitors' book and be accompanied in accordance with the school's **Visitor Policy**. Any individual who is not known or identifiable will be challenged for clarification.
- The school will not accept the behaviour of any individual, parent or anyone else, that threatens school 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 the school site.

Policy review

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.

Linked policies and procedures

The following policies and procedures are relevant for the child protection and safeguarding policy and procedure.

- Administration of Medicines Policy
- Anti-Bullying Policy
- Attendance Policy
- Behaviour Policy
- British Values Statement
- Children Missing Education Policy
- Complaints procedure
- Drug and Alcohol Policy
- Equalities and Disability Statement
- Health and Safety Policy and other linked policies and risk assessments
- Offsite Activities and Educational Visits Policy and risk assessments
- Safer Recruitment Policy
- Safeguarding - E-safety Policy (including IT and Social media)
- Safeguarding - Keeping Records of Child Protection and Welfare Concerns
- Sex and Relationship Education Policy
- Special Educational Needs and Disabilities Policy
- Spiritual, Moral, Social and Cultural Development Policy
- Staff Code of Conduct
- Whistle Blowing policy

APPENDIX A

The role of the Designated Safeguarding Lead

Note of terminology:

In order to make this a specification for the role of DSL – wording is based on the DSL being a separate person from the principal/proprietor. Under the current structure these are the same and therefore 'reporting/liaising' from one to another should be read in this context.

Managing referrals

- Refer all cases of suspected abuse to East Sussex Children's Social Care and to the Police if a crime may have been committed.
- Liaise with the Principal about safeguarding issues relating to individual children, especially ongoing enquiries under section 47 of the Children Act 1989.
- Act as a source of support, advice and expertise to staff members on matters of child protection and safeguarding.
- Liaise with agencies providing early help services and coordinate referrals from the school to targeted early help services for children in need of support.

Record keeping

- Keep written records of child protection and welfare concerns in line with East Sussex Local Safeguarding Board guidance [Keeping Child Protection and Welfare Concerns: Guidance for Early Years Settings, Schools and College.](#)
- Ensure a stand-alone file is created as necessary for children with safeguarding concerns.
- Maintain a chronology of significant incidents for each child with safeguarding concerns.
- Ensure such records are kept confidentially and securely and separate from the child's educational record.
- As soon as a child with safeguarding concerns moves to another school, liaise with the new school's Designated Child Protection Lead for information sharing. Ensure the child's 'child protection' or 'welfare concerns' records are transferred to the new school as soon as possible.

Inter-agency working and information sharing

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

Training

- 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, cyber-bullying and mental health (see the [Pan-Sussex Child Protection and Safeguarding Procedures](#));
 - be update-to-date with the **Prevent** strategy. To be able to assess the risk of children being drawn into terrorism, including being drawn into support for extremist ideas that are part of terrorist activity. This will be based on and understanding shared with local partners of the potential risk in the local area;
 - understand the assessment process for providing early help and intervention, e.g. the East Sussex Safeguarding Children Continuum of Need guidance and tools and the early help planning processes;
 - have a working knowledge of how the local authority conducts initial and review child protection case conferences and contribute effectively to these;
 - be alert to the specific needs of children in need (as specified in section 17 of the Children Act 1989) and those with special educational needs.
- Ensure each member of staff has access to and understands the school's child protection policy and procedures, including providing induction on these matters to new staff members.
- Organise whole-school child protection training for all staff members **every year**. Ensure staff members who have missed the school's training cycle, receive it by other means, e.g. through the local authority (level one) or in-house training/update.
- Keep up to date through the Independent Schools Safeguarding group (ISSG) which is run in conjunction with the with East Sussex Local Safeguarding Children Board (LSCB) via e-newsletter, emails, meetings etc., to identify training opportunities, changes in statutory guidelines, arrangements of LSCB procedures and changes in personnel/contact details.
- Encourage a culture of listening to children and taking account of their wishes and feelings in any action the school takes to protect them.
- Maintain accurate records of staff induction and training

Awareness raising

- Review the safeguarding and child protection policy and procedures annually.
- Make the child protection and safeguarding policy and procedures available publicly and raise awareness of parents that referrals about suspected abuse may be made and the role of the school in any investigations that ensue.
- Provide an annual briefing to the school on any changes to child protection legislation and procedures and relevant learning from local and national serious case reviews.

Take lead responsibility for remedying any deficiencies and weaknesses identified in child protection arrangements.

APPENDIX B

Child Protection and Safeguarding Procedures

Definitions

- **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children.
- **Children** are any people who have not yet reached their 18th 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.
- **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.
- **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.
- **Harm** is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.
- **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 2015](#) 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.
- **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.'

For more definitions, see [Pan-Sussex Child Protection and Safeguarding Procedures](#).

Types of abuse and neglect (current definition from KCSE Sept 2016)

Physical abuse

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

Emotional abuse

- the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

Emotional abuse / continued over

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Sexual abuse

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

Neglect

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

Children with special educational needs (SEN) and disabilities

- Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges and can be disproportionately abused by behaviours such as bullying. The school recognises that additional barriers can exist when recognising abuse and neglect in this group of children. These can include:
 - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
 - the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
 - communication barriers and difficulties in overcoming these barriers.

Specific safeguarding issues

- Staff will be alert to any risks affecting **other vulnerable group** as risk of specific safeguarding issues and be alert to any risks. For up-to-date advice and guidance:
 - **Chapter 8 of the [Pan-Sussex Child Protection and Safeguarding Procedures](#)** has detailed information about specific issues such as child sexual exploitation, fabricated or induced illness, female genital mutilation, private fostering, etc., and the local procedures to respond to risks.

- **Section 43 of [Part One of KCSIE](#)** has up-to-date links and further guidance including cyberbullying, children missing education, fabricated or induces illness, forced marriage and gender-based violence / violence against women and girls (VAWG), mental health, sexting and **preventing radicalisation**.

Recognition - what to look for

Staff 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.

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

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

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.

Safeguarding children continuum of need

The Safeguarding Children Continuum of Need has been developed so that everyone working with children in East Sussex has a common language for understanding the needs and risks surrounding children and their families.

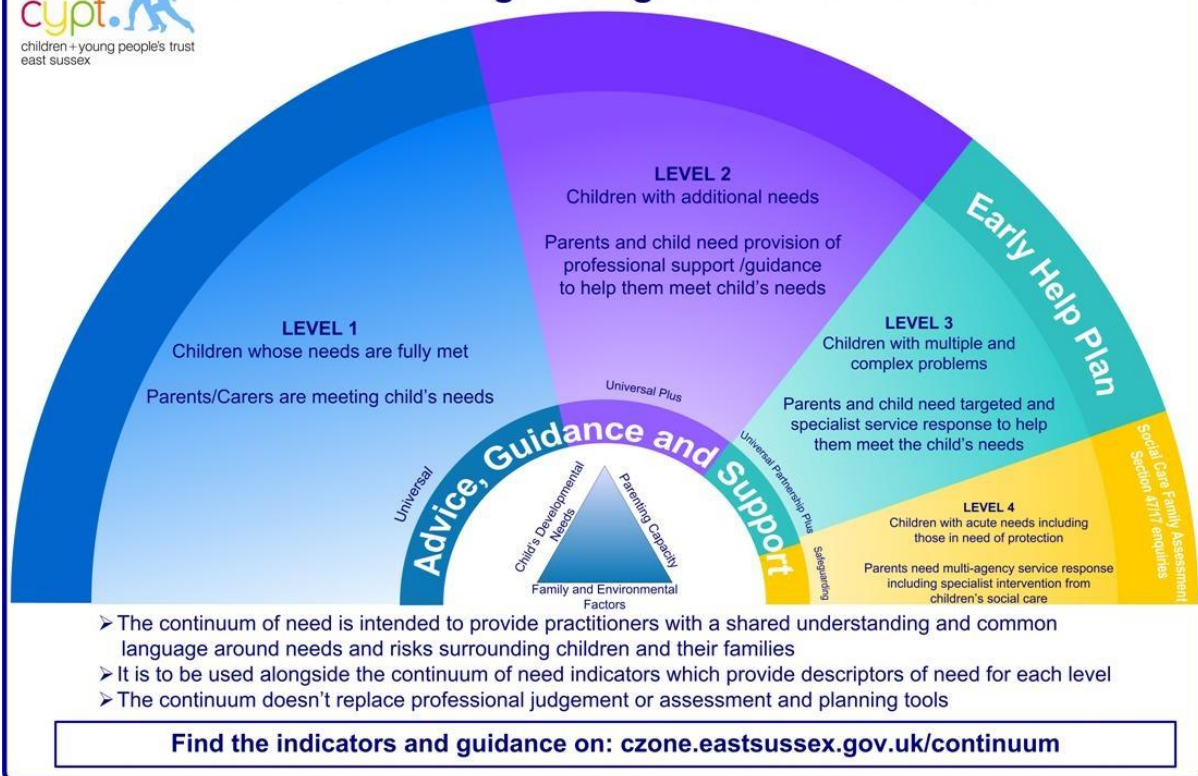
For example, if the school has concerns about a child and needs advice or support from a Duty and Assessment social worker, they will use the Continuum of Need as a guide to understand the school's concerns and provide advice about what to do or to decide whether the child and family need social care involvement. The Continuum of Need does not replace professional judgement, but it is intended to support decision-making and discussions between services and practitioners.

It is important that staff members are familiar with the Continuum of Need tool. It comes in two parts – a windscreen tool showing levels of need (see below) and an indicator tool describing a range of conditions about the child and family that the school (and other practitioners the school has discussions with) can use to identify their level of need.

The Continuum of Need tool, including the windscreen and indicators, and detailed guidance are available on [Czone](#).

The Continuum of Need 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 Care involvement. The Continuum of Need will help practitioners to identify the right level of support for the child in the least intrusive way while keeping the child safe.

Children's Safeguarding: Continuum of Need



The Continuum of Need 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 Care through the family assessment process

By referring to the Continuum of Need and indicators, the school can identify when assessment and support for a child and family need 'stepping up' to a referral to Social Care and when the needs of a child and their family have been reduced enough for them to be 'stepped down' to early help services.

What action to take if you have concerns about a child

Staff member	What action to take if you have concerns
Any member of staff, volunteer, contractor or activity provider	<ol style="list-style-type: none"> 1. Discuss your concerns with the Designated Safeguarding Lead, Mark Hunter, or in their absence, with the Deputy Designated Safeguarding Lead Debby Hunter, as soon as possible, before the child leaves for the day. It is important that the child is not sent home at the end of the day without taking the right protective action. 2. Complete the child protection incident/welfare concern form and pass it to the Designated Safeguarding Lead. 3. If the Designated Safeguarding Lead or their deputy is not available, you should contact the Single Point of Advice (SPOA) Team yourself for a consultation about the action you need to take. Inform the Designated Safeguarding Lead about your consultation and what actions you have taken.
Designated Safeguarding Lead	<ol style="list-style-type: none"> 1. You are concerned that the child is at risk of significant harm (Level 4 of the Continuum of need) <ol style="list-style-type: none"> 1.1 Contact the Single Point of Advice (SPOA) Team immediately. 1.2 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. 1.3 If the Single Point of Advice (SPOA) accepts your contact as a referral, send them a completed statement of referral (available from the Pan-Sussex Child Protection and Safeguarding Procedures website) within 24 hours. 1.4 The Team may decide, in discussion with you, that the child's needs are at Level 2 or 3 of the Continuum of Need and the school is better placed to provide support. See points 2.5 and 2.6 below for further action. 1.5 Record all your discussions and decision-making on the child protection incident/welfare concern form sent by the staff member who contacted you originally. Add it and a copy of the statement of referral to the child's file. If the child does not have a stand-alone child protection file, you will need to create one. Update the chronology. Continue to update the child's file and chronology as the investigation and the resulting work carry on. 2. You believe the child is not at risk of significant harm, but the child or their family may need support (Level 2 or 3 of the Continuum of Need) <ol style="list-style-type: none"> 2.1 Use the Continuum of Need tool to identify the level of need. 2.2 Discuss your concerns with senior colleagues in another agency, if necessary. 2.3 Contact the Single Point of Advice (SPOA), in order to develop an understanding of the child's needs and circumstances. 2.4 If the Single Point of Advice (SPOA) Team accepts your contact as a referral for social care assessment, send them a completed statement of referral within 24 hours, as above. 2.5 If your consultation results in the decision that the child and family are in need of help at Level 2 or 3 of the Continuum of Need, provide additional support in the school and/or refer the child or their family to other agencies providing early help services. 2.6 Record all your consultations and decision-making on the child protection incident/welfare concern form 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.

Dealing with a disclosure made by a child – advice for all members of staff

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.
- 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.

Discussing concerns with the family and the child – advice for the DSL

- **In general, the DSL will discuss any concerns the school may have with the child's parents.** They need to know that the school has concerns 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.
- **If the DSL makes the decision not to discuss the 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.
- **It is important to consider the child's wishes and feelings**, if age appropriate, as part of planning what action to take in relation to concerns about their welfare.
- When talking to children, account must be taken of the age of the child, level of understanding and preferred language, which may not be English. It is also important to consider how a disabled child may need support in communicating.
- Talking to a child will also depend on the substance and seriousness of the concerns. The DSL may need to seek advice from Children's Social Care or the police to ensure that neither the safety of the child nor any subsequent investigation is jeopardised.
- If concerns have arisen as a result of information given by a child, it is important that the child is reassured but not to promise confidentiality.

It is expected that concerns are discussed with the parents and the school seek their agreement to making a referral to Children's Social Care, unless the school consider that this would place the child at increased risk of significant harm.

Parents' consent is NOT required to make a referral if it is considered the child is in need of protection, although parents will ultimately be made aware of which organisation made the referral.

If parents refuse to give consent to a referral but you decide to continue, the school will make this clear to Children's Social Care.

If the school decides to refer the child without the parents' consent, this must be recorded together with a full explanation for the decision.

When making a referral it should be agreed with Children's Social Care what the child and parents will be told, by whom and when.

See section below for guidance on information sharing and consent.

Early help for children and families

- 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 our school or other services such as the NHS. Providing help early is more effective in promoting the welfare of children than reacting later.
- Our school will work together with other agencies to provide a coordinated offer of early help, in line with [Working Together to Safeguard Children 2015](#) and local guidance, to any child who needs it.
- We will pool our knowledge within the school and with 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 [East Sussex Safeguarding Continuum of Need tool](#) to identify what level of need the child or their family has.
- We will work closely with targeted early help services and Children's Social Care 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.
- **Targeted early help services** are aimed specifically at helping families with children and young people whose needs are at Level 3 on the Continuum of Need. There are three main services in East Sussex:
 - **Children's Centre Keywork and Health Visiting (for children aged 0 to 5 years)** work closely through the Good Start programme to agree what support is needed for families with children in this age range.
 - **Family Support Keywork Services (for children aged 5 to 13 years)** work across the county with schools and academies to provide coordinated support for families. They are based on the previous Parent Support Advisor, COPES and Inclusive Learning Tutor services
 - **Targeted Youth Support Service (for children and young people aged 11 to 19 years)** works closely with secondary schools, academies and colleges.
- Targeted support is also provided by family keyworkers in specialist services, for example Probation, Sussex Police, the Traveller Education Team and Family Support Health Practitioners. These services may lead a plan of support in a similar way to targeted early help services.
- Our school will [refer any child with needs at Level 3 on the Continuum of Need](#) to a targeted early help service and work with the service in any early help planning they may undertake to support the child.
- We will talk to the family about referral to a targeted early help service and explain that there may be a need to involve other professionals, including talking to a social worker about our concerns. We will seek the family's consent for the referral.
- If the family does not consent to an early help service, we will make a judgement about whether the needs of the child will escalate or the child will become unsafe without help. If our judgement is

that the needs or concerns will escalate, then we will contact the Children's Social Care Duty and assessment Team in our area for a consultation with a qualified social worker in order to make a shared decision about whether the level of concerns calls for a referral to Children's Social Care.

Children's-social-care-led responses to concerns about a child

- Once Children's Social Care has accepted our referral as needing a social-care-led response (Level 4 of the Continuum of Need), 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.
- The evaluation of concerns and risks involve deciding whether:
 - the child needs immediate protection and urgent action is necessary
 - 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
 - the child is in need and should be assessed under section 17 of the Children Act 1989.
- We will cooperate with Children's Social Care 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.
- 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.
- We will share information about the child and their family for section 47 enquiries and family assessments undertaken by Children's Social Care.
- 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.
- 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.
- 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.
- We will continue to monitor children once their plans are ended to ensure that they are supported and kept safe.

Information sharing and consent

- 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.
- The school 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 Care.
- 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.
- The Data Protection Act 1998 is not a barrier to sharing information. It is 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.
- 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.
- Be clear about the purpose of sharing confidential information and only share as much as you need to achieve your purpose.
- 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. If you decide to share information without consent, you should record this with a full explanation of your decision.**
- **Consent should not be sought from parents or carers (or the child, if they have sufficient understanding), if:**
 - it would place a child at increased risk of harm;
 - it would place an adult at risk of serious harm;
 - it would prejudice a criminal investigation;
 - it would lead to unjustified delay in making enquiries about allegations of significant harm to a child;
 - required by law or a court order to share information.
- **Consent is not necessary** in cases where Children's Social Care are making child protection enquiries under section 47 of the Children Act 1989. Information needs to be shared with Children's Social Care; staff members must make sure to record what information has been shared.
- **Consent is necessary, for:**
 - Children's Social Care 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 in the Duty and Assessment Team.
 - early help assessments. Assessments are undertaken with the agreement of the child and their parents or carers.
- If you are in any doubt about the need for seeking consent, get advice from the Designated Safeguarding Lead or from the Children's Social Care Duty and Assessment Team.
- 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.

Record keeping

- Good record keeping is an important part of the school's accountability to children and their families and will help us in meeting our key responsibility to respond appropriately to welfare concerns about children.
- 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.
- All staff members, volunteers, and activity providers should ensure that they record and report safeguarding concerns in line with guidance from the East Sussex Local Safeguarding Children Board (LSCB) – [Keeping Records of Child Protection and Welfare Concerns: Guidance for Early Years Settings, Schools and Colleges](#).
- 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.

Professional challenge and disagreements

- 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.
- We will promote a culture within our school that enables all staff members to raise, without fear of repercussions, any concerns they may have about the management of child protection in the school. 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 Principal or with the Local Authority Designated Officer.
- 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.
- If there are any professional disagreements with practitioners from other agencies, the Designated Safeguarding Lead or the Principal will raise concerns with the relevant agency's safeguarding lead in line with guidance in the [Pan-Sussex Child Protection and Safeguarding Procedures](#).
- If the school disagrees with the child protection conference chair's decision, the Designated Safeguarding Lead or the Principal will consider whether they wish to challenge it further and raise the matter with Children's Service Head of Safeguarding.

Safer recruitment

Our school has robust recruitment and vetting procedures to help prevent unsuitable people from working with children.

- See ***Safer Recruitment Policy***

Procedure for managing allegations of abuse made against school staff members

- The school 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, September 2016](#), and the [Pan-Sussex Child Protection and Safeguarding Procedures](#).
- 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.
- **The procedure applies to all adults working in the school or providing a service on behalf of the school to our children either within or outside school premises**, i.e. all permanent, temporary and ancillary staff, volunteers, contractors and external service or activity providers (**collectively referred to as staff or staff members** in this procedure).
- 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;
 - possibly committed a criminal offence against or related to a child;
 - 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.
- 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.

Any concerns will be considered in the context of the four types of abuse

- 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);
 - 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.
- 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.

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 Principal. In the absence of the Principal, or if the Principal is the subject of the allegation, concerns must be reported to the Local Authority Designated Officer (LADO).**
- The **Principal will act as the case manager** for investigations of allegations and liaise with the **LADO**.
- The **Local Authority Designated Officer (LADO) will act as the case manager** if the allegation is made against the Principal.
- 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.

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 **Principal** or **LADO**, and give them the written record.

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 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 in the school to the police in the first instance and then inform the LADO.

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 Care 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 Care 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.

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 Care 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.

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 child from the same school. These came in to force on 1 October 2012.
- Reporting restrictions apply until the point that the accused person is charged with an offence, or until the DfE / [National College for Teaching and Leadership \(NCTL\)](#) 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.

Supporting people

- The school together with Children’s Social Care and the police, if they are involved, will consider the impact on the child concerned and provide support as appropriate.
- The Principal 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.
- The Principal 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.

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 in the school 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)
 - 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.

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.
- The school 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 school should start appropriate action 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.

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.
- The school will not use 'compromise/settlement agreements', for example where the staff member agrees to resign provided that disciplinary action is not taken and that a future reference is agreed.

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.

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;
 - 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;
 - 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.

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.

References for staff members following an investigation

- 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.

Informing the Disclosure and Barring Service (DBS)

- The LADO will discuss with the case manager whether the school will refer the staff member to the DBS
- **It is a legal requirement for schools to refer to the DBS anyone**
 - who has harmed, or is likely to harm, or poses a risk of harm to a child;
 - 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.

Informing the National College for Teaching and Leadership (NCTL)

- Independent schools are also under a duty to consider making a referral to the [NCTL](#) **where any member of staff** who is a **teacher (as defined by the NCTL)**, has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. Reasons include *'unacceptable professional conduct'*, *'conduct that may bring the profession into disrepute'* or a *'conviction, at any time, for a relevant offence'*.
- In these circumstances the school would seek [further advice from the NCTL](#).