



# BERKHAMPSTEAD SCHOOL AND DAY NURSERY

## **SAFEGUARDING POLICY AND PROCEDURES**

1. This policy forms part of the complete set of policies that relate to Safeguarding Children. It is written in accordance with the locally agreed inter-agency procedures provided by our local area safeguarding board, the Gloucestershire Safeguarding Children's Partnership (GSCP) (three Safeguarding Partners). The list of policies referred to above is on the Contents page.
2. This Safeguarding Policy applies to the Early Years Department within the school (Reception and Kindergarten) as well as to the Day Nursery, the term "school" therefore refers to both School and Day Nursery within this policy.
3. Safeguarding refers to the physical and emotional safety of children and staff within the school. This document outlines policies concerning each aspect of safeguarding and explains the relevant procedure.
4. The Governing Body will act in accordance with Keeping Children Safe in Education (September 2021), Working Together to Safeguard Children (2018) and Prevent (2015) in order to safeguard and promote the welfare of children in this school.
5. All children have the right to be safeguarded from harm or exploitation whatever their:
  - Race, religion, first language or ethnicity
  - Gender or sexuality
  - Age
  - Health or disability
  - Political or asylum status

Governors, staff and volunteers in this school understand the importance of working in partnership with children, their parents and other agencies in order to promote children's welfare. All staff should be aware of their duty to raise concerns, where they exist, about the management of safeguarding, which may include the attitude or actions of colleagues. If the member of staff reporting suspicions remains unsatisfied by a decision not to act by the Head or DSL, he or she may, as a responsible citizen, report concerns directly to Social Services. He or she will be considered to have acted as a responsible citizen and will not be held accountable for undermining a school decision.

## 6. **The purpose of this policy is to:**

- Afford protection for the students and staff at Berkhamstead School and Day Nursery
- Enable staff and volunteers to safeguard and promote the welfare of children
- Promote a culture which makes this school a safer place to learn.

## 7. **We will endeavour to safeguard the children in our care by:**

- Valuing them, listening to them and respecting them
- Involving them in decisions which affect them
- Making sure all the staff and volunteers are aware of and are committed to the child protection procedures
- Sharing information and concerns with agencies who need to know, and involving children and their parents/carers appropriately
- Recruiting staff and volunteers safely, ensuring all necessary checks are made
- Adopting a Code of Conduct for all staff and volunteers
- Providing effective management through induction, support and training
- Ensuring that everyone working at Berkhamstead School and Day Nursery recognises the school's duties both to children in need and children at risk of harm
- Dealing appropriately with allegations/concerns about staff or volunteers in accordance with school policy.

The use of corporal punishment by staff is unacceptable in any form and is unlawful in schools.

## 8. **Training**

The Head, all academic and support staff, Day Nursery staff and volunteers are given regular (at least annually) Safeguarding training. The Designated Safeguarding Lead (DSL) is responsible for arranging this regularly. When new staff arrive, they will be given one-to-one training initially with the DSL as well as completing online training in their first week at school. They will also be required to read Part I of Keeping Children Safe in Education and Annex B and complete a test to show understanding of it.

## 9. **Roles and Responsibilities**

### a. **Head:**

- The Head is responsible for ensuring that the policy and procedures are in place and that the role of the DSL is implemented.
- The Head is responsible for ensuring that Department of Education (DfE) guidance is followed to ensure safe staff recruitment and that adequate staff checks and records are maintained.

### b. **The Designated Safeguarding Lead:**

- Will be available to discuss concerns about suspected child abuse with staff and offer support, advice and expertise. If the DSL (Mrs Michelle Bareham) is unavailable then staff should contact either Deputy (Mrs Mel Main or Miss Charlotte Keegan). In the unlikely event that it is impossible to contact all three, staff should contact Miss Mollie Dodds (DSL Berkhamstead Day Nursery) or Mrs Mary Drew and Mrs Karen Lester (Deputy DSL Day Nursery).

- Will take responsibility, along with the Head, for procedures and managing referrals to the local authority children's social care, the LADO (for child protection issues concerning a staff member), the DBS or the Police, as appropriate.
- Will act as a focal point for liaison with authorised agencies.
- Has undertaken Level 3 Safeguarding training and undertakes regular updates every two years in order to understand the processes involved e.g. in assessments in order to make offers of early help or Child Protection Case Conferences/Reviews.
- Ensures all new staff and volunteers receive induction in safeguarding procedures which will include:
  - the Staff Code of Conduct (with reference to the Guidance for Safer Working Practice document)
  - a copy of Part I of Keeping Children Safe in Education
  - the School Behaviour Policy
  - Information on the school's response to Children Missing Education
  - Information on the identity and the function of the DSL and Deputy DSLs.
- Supports staff involved in safeguarding cases.
- Monitors and evaluates the effectiveness of the School and Day Nursery's Safeguarding Policy, updating and reviewing it at least annually and ensuring it is available on the school website.
- A full Audit of Safety is carried out annually using the GSCP Audit.
- Ensures that safeguarding issues and policies, especially updates and new initiatives, are understood and kept in mind by all staff.
- Encourages a culture among all staff of listening to children and taking account of their wishes and feelings; this will ensure that there can be appropriate offers of help.
- Keeps detailed, accurate and secure written records of concerns and referrals.
- Ensure that any children with a child protection file have their records transferred (separately from their main file) to their new school when they leave.
- Mrs Michelle Bareham, Head of Pastoral Care and a member of the SMT, is the Designated Safeguarding Lead (DSL) and will liaise with GSCP as appropriate. She can be contacted through school on 01242 523263. Mrs Mel Main and Miss Charlotte Keegan are the Deputy DSLs for school.
- Miss Mollie Dodds, Head of the Day Nursery and a member of the SMT, is the Designated Safeguarding Lead (DSL) for the Day Nursery and will liaise with GSCP as appropriate. She can be contacted through school on 01242 523263. Mrs Mary Drew and Mrs Karen Lester are the Deputy DSLs for the Day Nursery.

**c. Governors:**

- Governors must ensure that the school has a Safeguarding Policy and that this is known to all staff and governors.
- Mrs Gill Agg is the designated governor for Safeguarding. She is responsible for instigating an annual review of procedures.
- As part of an annual review, the Governors will judge the efficiency by which procedures have been implemented. Any deficiencies will be remedied immediately. The Safeguarding Policy will be signed off at each annual review by the Chair of Governors.
- The Governors will liaise with the Local Authority on issues of child protection or in the case of allegations against the Head or a member of the governing body.

**d. Staff:**

- Should know who the DSL and Deputy DSLs are.
- Should familiarise themselves with the Safeguarding policy and procedures.
- Should take responsibility for children in their care and maintain an attitude of “it could happen here”.
- Should report any Safeguarding issues and concerns to the DSL; if it is felt that the matter has not been dealt with effectively, they should refer it to the Local Authority themselves.
- Should act and be seen to act in every pupil’s best interests.
- Should read KCSIE 2021 Part 1 and Annex B and complete on-line training in FGM, Peer on Peer Abuse, Prevent radicalisation and Child Protection.
- Any staff with concerns in relation to child on child sexual violence or sexual harassment must report these immediately to the DSL who will refer to the police or social care if appropriate.

When deciding whether to make a referral, following an allegation or suspicion of abuse, the Head and DSL should not make their own decision over what appear to be borderline cases, but rather the doubts and concerns should be discussed promptly with the Local Authority Children’s Social Care. This may be done tentatively and without giving names in the first instance. What appears trivial at first can later be revealed to be much more serious, and an allegation of child abuse or neglect may lead to a criminal investigation. Thus, the school should not do anything that may jeopardise a police investigation, such as asking a child leading questions or attempting to investigate the allegations of abuse. If at any time there is a risk of immediate harm to a child, a referral should be made to Children’s Social Care immediately.

Anyone is able to make a referral directly; parental consent is not required. Staff must never assume that someone else is taking action and sharing information that might safeguard a child. Safeguarding is everyone’s responsibility.

Contact Gloucestershire Safeguarding Children’s Partnership (GSCP) on:

Nigel Hatten, LADO (Local Authority Designated Officer) <a href="mailto:nigel.hatten@gloucestershire.gov.uk">nigel.hatten@gloucestershire.gov.uk</a>	01452 426994
Nicky Power, LADO	01452 426320
Jenny Kadodia, Allegations Management Co-Ordinator <a href="mailto:jenny.kadodia@gloucestershire.gov.uk">jenny.kadodia@gloucestershire.gov.uk</a>	01452 426320
MASH	01452 426565

Contact Chair of Governors, Mr Martin Kirby, via the school office.

Low level concerns made against staff will be recorded in their HR file.

## 10. **Appointment of Staff**

Safeguarding issues must be uppermost in our mind throughout the process of appointing both teaching and support staff.

- a. All teaching staff are Prohibition checked; this is recorded on the Single Central Register (SCR).
- b. The appointment process is designed to deter potential offenders from applying. All applicants are required to complete application forms which are designed to prompt interviewers to spot lacunae, frequent changes of jobs and movements around the country. They state the primacy of safeguarding concerns at the school and require a declaration of past convictions and whether or not the candidate is on the Barred List and disqualified from working with children.
- c. References must normally be taken up in advance of short-listing and always before confirmation of appointment. These are completed on a reference pro-forma and include sections requiring declarations of concerns raised, whether proven or not, which relate to the safety or welfare of children. References must be from at least two sources or institutions. Internal candidates must provide a reference from someone in authority in school not a colleague. The source of electronic references must be verified. References must be obtained from relevant workplaces not only the most recent.
- d. When interviewing, the Head will be accompanied by a member of the Senior Management Team so that proceedings are observed. The Day Nursery Manager will be accompanied by another member of the Day Nursery staff. Support staff will be interviewed by the Bursar, accompanied by a Bursary colleague, Governors or the Head for senior positions. Those interviewing must not be afraid to ask difficult questions of the candidate or referee. A member of the interviewing panel must be Safer Recruitment trained.
- e. All teaching and support staff will be checked for their suitability with the Disclosure and Barring Service (DBS). Other adults, who will come into contact with pupils as part of their business with the school, or on an infrequent basis, will be always accompanied and will have a Barring list check, if appropriate. Before appointment it is a requirement that qualifications are presented and photographic identity seen.
- f. All appointees are required to complete a Medical Declaration to assess their suitability to work with children.
- g. Any member of staff found not suitable to work with children will be notified to the appropriate bodies (Barring List for education staff). Any concerns raised, whether proven or not, will be reported in staff references.
- h. The Head's PA will keep files on all employees and helpers at clubs and activities. All future helpers will be directed to her for appropriate checking procedures.

## 11. **Confidentiality**

- a. The DSL will disclose any information about a pupil or other members of staff on a need to know basis only.
- b. All staff have a professional responsibility to share information with other agencies in order to safeguard children.
- c. Staff cannot promise to keep secrets which might compromise a child's safety or which might implicate others in serious misconduct.

- d. The school will always undertake to share our intention to refer a child to Gloucestershire Safeguarding Children's Partnership (GSCP) with their parents/carers unless to do so could put the child at greater risk of harm or impede a criminal investigation. If in doubt, we will consult with the GSCP on this point.

## 12. **Safeguarding concerns arising from pupils**

All staff should be aware that older pupils may act in a way which is contrary to the welfare of other children. Staff should be especially vigilant of relationships between pupils with a wide age gap and be prepared to communicate concerns to parents. All staff should be aware of the possibility of peer-on-peer abuse including verbal and on-line.

## 13. **Physical Intervention**

Physical intervention of a nature which causes injury or distress to a child may be considered under safeguarding or disciplinary procedures. See separate policy.

## 14. **Bullying** (see separate policy)

Any forms of bullying may lead to consideration under safeguarding procedures. This includes homophobic, race and gender related bullying. Abuse by one or more pupil against another pupil will be dealt with as a safeguarding issue and such abuse will be referred to an external safeguarding agency.

## 15. **Health and Safety and Educational Trips and Visits**

Our Health and Safety and Educational visits procedures reflect the consideration we give to the protection of our children both physically within the school environment and when away from the school when undertaking school trips and visits. When supervised by staff from other schools or accredited adventure centres etc, the trip leaders will ensure that the appropriate checks have been made by the organisation. See separate policies.

## 16. **Pastoral Education**

The School promotes the welfare of children explicitly through the CWB curriculum, assemblies and through the pastoral system. Pupils are helped to understand that there are certain situations and persons, including the Internet, which could lead them into harm. See separate policy.

## 17. **Supporting Staff**

Staff working in the school who have become involved with a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting. We will support such staff by providing an opportunity to talk through their anxieties and seek further support as appropriate.

## 18. **Searching**

If a member of staff believes there is just cause to search a pupil the staff member should follow the DFE guidance "Searching, Screening and Confiscation". DFE Feb 14.

**See Appendix 3: Searching, Screening and Confiscation.**

## 19. **Whistleblowing**

See separate Whistleblowing Policy.

**See Appendix I: Child Protection Process**

## 20. **Definitions of Child Abuse:**

A child is considered to be abused or at risk of abuse by parents or other individuals when the basic needs of the children are not being met through act or either commission or omission, leading to demonstrable harm or demonstrable likely harm. This abuse may take place wholly on-line.

## 21. **Physical Abuse**

Physical abuse is where parents or another in a trusted position physically hurt, injure or kill a child. This can involve hitting, whipping, punching, shaking, slapping, burning and biting. It can also include giving a child poisonous substances, inappropriate drugs or alcohol and attempting to suffocate or drown a child. In some cases, excessive force may be used when feeding or changing a baby's nappy. Some of these result in very definite injuries which are visible on the body – such as scratches, burns, bruises and welts. Others are internal, such as broken bones, fractures or haemorrhaging.

## 22. **Sexual Abuse**

Sexual abuse is where children (girls and boys) are violated by force, tricks, threats or coercion into having any kind of sexual contact with an adult or older child. This might be sexual intercourse, fondling, masturbation, oral sex, anal intercourse, exposing children to pornographic literature or videos. Some children are forced or encouraged to have sexual contact with parents, uncles, grandparents or friends of the family. Others have sexual contact with strangers. Information must never be used to intimidate, humiliate or embarrass the pupil or for the purpose of Child Sexual Exploitation.

## 23. **Emotional Abuse**

Emotional abuse is where children are constantly starved of love and affection by parents. Parents who continuously verbally attack, threaten, taunt and/or shout at a child can lead to a child's loss of confidence and self-esteem so that they become nervous and withdrawn. Parents who do not talk to, hug, or hold the child and are generally unavailable emotionally for the youngster. Alcoholic parents can be emotionally neglectful of their children's needs. Emotional abuse may not leave physical scars but does have serious consequences for the child, if not in childhood, then in adult life. Children who see or hear domestic abuse will be regarded as victims in their own right.

## 24. **Neglect**

Neglect is when the parents fail to meet the basic and essential needs of their children, like food, clothes, warmth and medical care. Leaving children alone and unsupervised is another example of neglectful parenting. Again, like emotional abuse, it is neglectful to deprive a child of love or verbal stimulation. Staff are advised to use the GCSE Neglect Toolkit, a copy of which is in each staff room.

## 25. **Specific Safeguarding issues**

We should all be mindful of children who are disabled or have specific health conditions who may be at risk alongside those children who have a family member in prison or is an offender.



This list is from “Keeping Children Safe in Education” (Sep 21); all staff should bear in mind these are specific forms of abuse to be aware of when looking to safeguard our children.

- Child sexual exploitation (CSE) (eg grooming, bribery etc).
- Children missing from education. Continuous or frequent unauthorised absences will be scrutinized for patterns alongside persistent absences for part of the school day.
- Child missing from home or care.
- Bullying, including cyber-bullying (see E-Safety Policy).
- Domestic violence.
- Drugs.
- Fabricated or induced illness (eg Munchausen’s by proxy).
- Faith abuse (eg children accused of witchcraft)
- Female genital mutilation (FGM) – further guidelines in Appendix 2.
- Honour-based abuse including Forced marriage.
- Gangs and youth violence.
- Gender-based violence/violence against women and girls.
- Mental health.
- Private fostering.
- Radicalisation (eg brainwashing, cults, politics etc); preventing radicalisation (see Offer of Early help page 19).
- Child Criminal Exploitation (CCE).
- Child on Child Sexual Violence and Sexual Harassment including Upskirting (taking a picture under a person’s clothing without them knowing), sending sexually explicit messages/photos by mobile phone – (most likely in secondary school – Teenage relationship abuse)
- Trafficking (eg slavery).
- Peer on Peer abuse including serious violence (serious violent crime including knife/gun crime and involvement in County lines). Staff complete Peer on Peer abuse training.
- The risk factors of serious violence are being male, frequent absences or exclusions, involvement in offending eg theft and child maltreatment.

### **Peer on Peer Abuse**

Keeping Children Safe in Education (KCSIE), 2021 states that

*‘Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with’.*

It also emphasises that the voice of the child must be heard

*‘Governing bodies, proprietors and school or college leaders should ensure the child’s wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, all system and processes should operate with the best interests of the child at their heart.’*

Peer abuse is behaviour by an individual or group, intending to physically, sexually or emotionally hurt others. All staff should recognise that children are capable of abusing their peers. All staff should be aware of safeguarding issues from peer abuse including:

- bullying (including online bullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm

- sexual violence and sexual harassment
- sexting (also known as youth produced sexual imagery); and nudes and semi-nudes
- initiation/hazing type violence and rituals.
- upskirting

This abuse can never be tolerated or passed off as ‘banter’ or ‘just having a laugh’ or ‘part of growing up’. It can:

- Be motivated by perceived differences e.g. on grounds of race, religion, gender, sexual orientation, disability or other differences
- Result in significant, long lasting and traumatic isolation, intimidation or violence to the victim; vulnerable adults are at particular risk of harm
- Children or young people who harm others may have additional or complex needs e.g.:
- Significant disruption in their own lives
- Exposure to domestic abuse or witnessing or suffering abuse
- Educational under-achievement
- Involved in crime

The procedures to minimise the risk of Peer on Peer abuse and the process following allegations are handled are detailed below. SEN children are particularly vulnerable due to their additional needs as they may be prone to isolation. Additional Pastoral Support should therefore be put in place. There is also greater risk of abuse to children who go missing from education. There is zero tolerance to incidents and “it could happen here” approach. Children are taught respectful boundaries.

## 26. **Signs of Abuse:**

- Changes in behaviour, especially withdrawal or a sudden desire for attention.
- An unusually acute interest in sexual matters.
- Signs of looking unwashed, undernourished, weight loss etc.
- Bruising in strange places that you wouldn’t expect from a knock or obvious grip marks.
- Changes in mental health.

## 27. **Process for referral: The Voice of the Child**

- All staff should maintain an environment in which children feel secure, encouraged to talk, and are listened to.
- All staff should ensure that all children know they can speak to a member of staff if they have any worries or concerns.
- The CVB (PSHE) curriculum will help children to develop the skills they need to recognise, and stay safe, from abuse.
- All concerns should be recorded on CPOMS and ensure that the DSL is alerted.

**Staff Action:** All adults must respond to safeguarding disclosures using non-leading techniques.

## **Receive, Reassure, Respond, Record, Refer.**

**Receive** what is said:

- Accept what you are told – you do not need to decide whether or not it is true.
- Listen without displaying shock or disbelief.

**Reassure** the pupil:

- Acknowledge their courage in telling.
- Remind them that they are not to blame (but avoid criticising the alleged perpetrator – children often love adults who abuse them.
- Never promise confidentiality, only discretion.
- Reassure them, but do not promise what you may not be able to deliver eg “everything will be alright now” – it may not be.

**Responding:**

- Respond to what the pupil has said, but do not interrogate.
- Avoid leading questions such as “was it your father? Did he touch your breasts? The Defence Counsel in a subsequent court case to suggest that you “contaminated” the child’s evidence can use questions such as these.
- Ask open-ended questions: “Do you want to tell me anything else? And? Yes?”
- Where necessary, clarify what has been said to you so that you are clear and able to decide whether this is an abusive situation.
- There is a careful judgement to be made in ensuring you have enough information to make an appropriate referral and allowing a pupil to talk without being silenced, while making sure that you have not inadvertently led a young person perhaps by an assumption behind a question. For example, asking “were you sitting up or lying down when this happened?” contains the answer in the question.
- Explain what you will do next and (where appropriate) the referral process.

**Recording:**

- Make brief note as soon as possible
- Keep original notes and then write up a subsequent record – include date, time and place. Describe observable behaviour.
- Record the actual words the child uses.

**Refer:**

- Refer the matter straight away, with all the relevant details, to the DSL.

**Response of the Designated Safeguarding Lead:**

- Take steps needed to protect any pupil involved from risk or harm.
- Not interview or investigate the allegation further, but refer to the Safeguarding team of Social Care (GSCP) and follow their advice on further action.

- Agree with Social Care any necessary next steps in relation to:
  - informing a pupil's parents
  - medical examination or treatment
  - immediate protection for the victim or a pupil who has given information about an abuser or a pupil against whom an allegation has been made
  - informing other people at the school
- Inform the pupil or adult who has made the initial allegation of what the next steps are to be.
- Inform the Head of the allegation and action taken.
- Ensure long-term protection support for all pupils involved.

## 28. Offer of Early Help

If a member of staff has any worry or concern, it should be shared with the DSL who will call the Family Information Service on their free and confidential helpline (0800 542 0202). Early intervention ensures that the child gets the right help at the right time. See details from Para 49.

**For procedures following an allegation made against a member of staff or the Head, see PI 6 of this policy.**

**For Gloucestershire Safeguarding Children's Partnership (GSCP) Child Protection Process, see Appendix I.**

**Please see "Offer of Early Help".**

## **Guidelines on the Prevention of Allegations of Abuse.**

### 29. Curriculum

The curriculum will include RSHE and E-Safety throughout every year group in the school.

Staff should be aware that curriculum content can sometimes include subject matter which is sexually explicit or of an otherwise sensitive nature. Care should be taken to ensure that curriculum materials cannot be misinterpreted and clearly relate to the learning outcomes identified for that lesson. Schemes of work should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter which may be sexually explicit or of an otherwise sensitive nature. Responding to pupils' questions may require careful judgement and staff may wish to take guidance in these circumstances. This means that staff should not enter into or encourage inappropriate or offensive discussion about sexual activity.

Care should also be taken to abide by the School's RSHE policy and the wishes of parents who have the right to withdraw their children from all or part of any sex education provided (but not from the biological aspects of human growth and reproduction necessary under the School's science curriculum).

### **30. Physical Education and other activities which require physical contact**

Some staff, those who teach PE and games, or who offer music tuition, for example, will on occasions have to initiate physical contact with pupils in order to support a child so that they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument to assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity. This means that staff should:

- Consider alternatives where it is anticipated that a pupil might misinterpret any such contact perhaps involving another member of staff or a less vulnerable pupil in the demonstration.
- Always explain to a pupil the reason why contact is necessary and what form the contact will take. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

Staff must remember:

- Never touch a child in a way which might be considered indecent.
- Always be prepared to explain actions and accept that all physical contact be open to scrutiny.
- Never indulge in horseplay, ticking or fun fights.
- Should not use an object to make physical contact.
- Physical contact should never be secretive, or for the gratification of staff, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded in writing as soon as possible and given as soon as possible to the DSL, with a copy placed on the child's file.

**See also: Physical Contact and Restraint Policy.**

### **31. Trips and off-site visits**

These guidelines must apply to residential/non-residential visits. Aspects of Safeguarding must be included in the risk assessment where appropriate. Particular attention must be paid to where pupils are staying in a residential/hostel/hotel. Pupils must only stay in accredited, official and recognised venues.

### **32. Mobile Phone and Internet use**

#### **Staff Mobile Phones**

Staff working in EYFS including the Day Nursery will leave mobile phones in the staff room or office.

Phones will never be used to take photographs of children or to store their personal data. A school mobile will be carried to sporting fixtures away from school or on an educational visit for contacting parents in the event of an emergency.

Staff must have their phones on 'silent' or switched off during class time.

Staff may not make or receive calls during teaching time. If there are extreme circumstances (eg. acutely sick relative) the member of staff will have made the Head of Department aware of this and can have their phone in case of having to receive an emergency call.

Use of phones must be limited to non-contact time when no children are present. Phones must be kept out of sight (eg. drawer, handbag, pocket) when staff are with children. Calls/ texts must be made/ received in private during non-contact time.

## **Internet Use**

The School has clear policies about access to and the use of the Internet. Under no circumstances should staff in school access inappropriate images. Accessing child pornography or indecent images of children on the Internet, and making, storing or disseminating such matters, is behaviour that, if proven, will invariably result in the individual being barred from working with children and young people.

In general, a person's private activities, including use of the Internet, that does not involve child pornography or other illegal material, will not impinge on his or her suitability to work with children. However, using school equipment to access other inappropriate or indecent material including adult pornography, will give cause for concern, particularly if as a result pupils might be exposed to inappropriate or indecent material. Staff should be aware that this would be construed as gross misconduct under the school's disciplinary procedures.

### **33. One-to-one situations**

When staff work in one-to-one situations with children, perhaps in a pastoral role, they need to be aware that this could provide an opportunity for allegations to be made. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. This means that staff should:

- Avoid meetings with pupils in remote secluded areas of the school.
- Ensure that there is visual access or an open door.
- Inform other staff of the meeting beforehand, assessing the need to have them present or close by.

### **34. Transporting children**

In certain situations e.g. out of school activities or medical emergencies, staff or volunteers may be required to transport children.

Staff should **not** transport children alone, whenever practicable. Children should sit in the back of the car only, with seatbelts on.

### **35. First Aid and Administration of Medication**

Only staff who are trained should administer First Aid. When administering First Aid, staff should ensure that other adults or children are present, or aware of the action being taken, whenever possible. Parents should always be informed when First Aid has been administered.

This means staff should:

- Make other staff aware of the task being undertaken.
- Explain to the child what is happening.

### **36. Photography, Video/DVD and other Creative Arts**

Please see separate policy: "Taking, Storing and Using Images of Children".

### **37. Changing**

Children are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be a required level of supervision to safeguard young people and satisfy Health and Safety considerations and to ensure that bullying or teasing does not occur. The supervision will need to be appropriate to the needs and age of the young people concerned.

Staff, therefore, need to be vigilant about their own behaviour. This means that staff should:

- Announce their intention of entering changing rooms.
- Avoid remaining in changing rooms, unless pupils' needs require it.
- Avoid any physical contact when children are in a state of undress.
- Avoid any visually intrusive behaviour.
- Not change in the same place as children.
- Not use the children's toilets.

### **38. Social Contact**

Staff should not establish or seek to establish social contact with pupils for the purpose of securing a friendship, pursuing or strengthening a relationship. Even if a child seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise his/her professional judgement in making a response and be aware that contact could be misconstrued.

This means that staff should:

- Always approve any planned social contact with SMT.
- Advise SMT when regular social contact occurs through activities not linked to school.
- Report and record any situation which they feel might compromise the school or their own professional standing.

### **39. Pupils in distress**

There may be occasions when a distressed pupil needs comfort and reassurance. This may include appropriate physical contact. Staff should remain self-aware at all times to ensure that their contact is not threatening or intrusive and not subject to misinterpretation.

This means that staff should:

- Consider the way in which they offer comfort to a distressed pupil.
- Always tell a colleague when and how they offered comfort to a distressed child.
- Record any situation that may give rise to concern/or be misconstrued.

#### 40. Intimate Care

Intimate care is defined as care tasks associated with bodily functions, body products and personal hygiene.

Day Nursery staff with DBS checks are able to carry out such tasks and our nappy changing and toileting policy (see Day Nursery Health, Care and Hygiene Policy) states, wherever possible these intimate care tasks will be carried out by the child's key person or buddy.

When carrying out intimate care tasks, staff **must**:

- Treat children with dignity and respect at all times.
- Follow the correct procedures for the intimate care task, for example, nappy changing.
- Offer children privacy appropriate to their age and level of need. Toileting children have separate cubicles so they have privacy but an adult will always be close by to offer help if needed.
- Supervise any student on placement when learning intimate care tasks (see also 1.18 Student Placement)
- Encourage children to have respect for their private parts in line with the NSPCC PANTS rule:
  - **P**rivates are private.
  - **A**lways remember your body belongs to you.
  - **N**o means no.
  - **T**alk about secrets that upset you.
  - **S**peak up, someone can help.

Children are encouraged to be ready for independent toileting before joining the school Kindergarten although adult assistance is always on hand for those children who need it. If a child has an accident or is unable to maintain good levels of hygiene then an adult will inform another adult in the room and assist the child. This help is carried out in as public a place as possible, allowing for hygiene and self-esteem issues. This guideline is used for any other accidents around school, on school visits or in the unusual case of an older child. In the case of persistent difficulty, the child's parents will be asked to seek medical advice from the GP or Health Visitor.

#### 41. Sexual Contact with Young People

Such activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Adult behaviour may also involve "grooming" a child. This can involve an adult conferring special attention and favour upon a child with the intent of sexually abusing them at a future point.

This means that staff should:

- Not pursue sexual relationships with children either in or outside of the school.



- Avoid any form of communication with a child which could be misinterpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.
- Sexual behaviour towards and/or developing a sexual relationship between a member of staff with any child is inappropriate and illegal. This behaviour is considered as gross misconduct and will result in immediate suspension pending investigation.

#### 42. **Gifts**

Receiving of gifts is essentially inadvisable as it may be inappropriate and, in some cases, constitute a criminal offence. Of course, there are occasions when children wish to pass small tokens of appreciation to staff at Christmas time or as a “thank you” gift. In the context of creating safe working practices it is also inadvisable to give gifts regularly or of any value to individual children. This could be misconstrued as a gesture either to bribe, or single out the child and it might be perceived that a “favour” of some kind is expected in return.

The means that staff should:

- Ensure that gifts received or given in situations which may be misconstrued should be declared.
- Not give preferential treatment to any child on a regular basis.
- Ensure that any gifts given as part of a reward system are small and an accepted part of school practice.

#### 43. **Infatuation**

Staff need to be aware that it is not uncommon for a pupil to develop an infatuation with a member of staff. Staff should be aware that pupils can be strongly attracted to a member of staff and may develop a heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. A member of staff who becomes aware that a pupil may have developed an infatuation (with themselves or a colleague) should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken, where necessary.

#### 44. **Dress and Appearance**

It is necessary and wise for staff to consider the manner of dress and appearance appropriate to their professional role as opposed to that which may be adopted in their personal life. The means that staff should wear clothing which:

- Promotes a positive and professional image.
- Is appropriate to their role.
- May not be viewed as offensive, revealing or sexually provocative.
- Does not distract, cause embarrassment or give rise to misunderstanding.
- Is absent of any slogans.

Staff who dress or appear in a manner that could be considered inappropriate or offensive could render themselves vulnerable to criticism or allegation and should expect guidance from the SMT.

## 45. **Searching**

If an investigation or an allegation leads to reasonable suspicion that a search of a pupil, his or her clothes, bags or lockers is necessary, two staff members must be present while the search is conducted. Pupils must be asked to empty pockets and bags themselves.

46. Any form of corporal punishment is forbidden at Berkhamstead School and Day Nursery.

## 47. **Allegations against staff (including the Head and the Day Nursery Manager)**

An allegation should be made if a teacher, other member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child.
- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child or children in a way that indicates he or she is unsuitable to work with children.

An allegation will indicate that a person is unsuitable to continue to work with children in his or her present position, or in any capacity.

If a pupil makes an allegation against a member of staff or volunteer, the member of staff receiving the allegation must immediately inform the DSL; if the DSL is absent, the allegation should be passed to the Deputy DSL. The DSL or Deputy DSL will ensure that the Head is informed immediately.

If the allegation made to a member of staff concerns the DSL, the person receiving the allegation will immediately inform the Head or Chair of the Governing Body without notifying the DSL first. In cases of serious harm, the police will be involved from the outset.

Allegations against the Head should be referred to the Chair of Governors who will refer to the LADO (Nigel Hatten GSCP 01452 426994) without informing the Head.

## 48. **Procedures following an allegation of abuse by a member of staff:**

**Considerations:** The DSL will inform the LADO within one working day and follow the advice given. The LADO may then involve the Head and/or Chair of Governing Body.

Any allegation should be investigated to determine whether it is unfounded. The LADO will provide advice and preside over any investigation or any allegation or suspicion of abuse directed against anyone working at the school.

Whenever a person is interviewed as part of an investigation, he or she is entitled to choose a representative to act as a witness to proceedings.

If the allegation is found not to be substantially false or unfounded, it will usually be the case that a strategy discussion will take place for the protection of the child concerned or the police will be contacted for further investigation.

If the child is not likely to suffer significant harm, but a criminal offence has been committed, the police will be informed directly.

**Record Keeping:** a clear and comprehensive summary of any allegations made against a member of staff, and all the details leading to and including a resolution, will be kept on the confidential personnel file and will be retained until the member of staff reaches retirement age, or for a period of 10 years after the allegation has been made. The school will provide information regarding an allegation for the purpose of future references and DBS disclosures.

**Procedures:** if it is decided that the allegation does not involve a criminal offence and/or does not require formal disciplinary action, the Head will institute appropriate action within 3 working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

According to the terms of the staff contract, the Head may suspend a member of staff whilst an investigation is progressing, dependent on the seriousness of the case. Suspension will always occur if there is cause to suspect a child is at risk of significant harm. The decision to suspend remains with the Headmaster. Suspension is not necessarily an indication of guilt.

Parents and guardians of the child concerned will be told about the case, if they do not already know, and they will be kept informed of the progress including the outcome, but not the details of any disciplinary process.

The person who is subject to the allegation will be kept informed at all times of developments. Those who are members of a union are advised to contact the union at the outset.

**Action:** if the allegation is found to be unfounded, and the person has been suspended, then the school will support him or her as best it can, perhaps with the help of a mentor, to return to work and will attempt to minimise contact with the pupil involved in making the allegation if they remain at school. The school will consider serious disciplinary action against a child who has been found to make deliberately false allegations.

If the allegation is substantiated, the decision whether to dismiss the member of staff is at the discretion of the Head. A criminal offence, regardless of significant harm to a child, would be considered to be gross misconduct and is liable to dismissal.

The school will report the dismissal of any member of staff or volunteer following a substantiated allegation to the DBS within one month of the person leaving.

The school will consider making a referral to the Teaching Regulation Authority (TRA) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are:

- unacceptable professional conduct
- conduct that may bring the profession into disrepute, or
- a conviction at any time for a relevant offence.

It is not necessary to make a referral to both TRA and the DBS as their information is shared; however, if a dismissal does not reach the threshold for a DBS referral, a TRA referral could still be appropriate.

At the Early Years Foundation Stage, the school will inform Ofsted within 14 working days of any allegations of serious harm or abuse by a person working or looking after children on the premises being made and of the action taken in respect of these allegations.

**Review** : a review of procedures will take place after any allegations made.  
*To be reviewed annually in the light of statutory changes and after any safeguarding concerns.*

#### **49. Offer of Early Help**

The Government definition of early help as written in the document “Working Together” 2018 states:

“Early Help means providing support as soon as a problem emerges, at any point in a child’s life, from the foundation years through to teenage years”.

We at Berkhamstead recognise that problems can arise at any point throughout childhood and believe that children are entitled to the right help at the right time.

First steps to help are taken through CWB lessons, circle time and pastoral care provided by the form tutor or Key Worker. For CWB we use the Gloucestershire PSCHE and Safeguarding PINK Curriculum (People in the Know). This is a carefully planned scheme of work and planning toolkit which supports the development of the necessary skills and knowledge that our children need to lead a happy, safe, healthy life.

We use a variety of resources to provide information to both pupils and parents including trips to SkillZone, Childline Assembly and Workshops, Mindfulness teaching and taking part in the Online Pupil Survey. The children are taught about positive mental health, challenging stereotypes, celebrating differences and challenging all forms of bullying.

#### **Dangerous Drugs Network**

Staff understand what Dangerous Drugs Networks are and know who to contact.

#### **Stalking**

Staff understand what constitutes Stalking and understand that there can be a link to domestic abuse. Staff would refer victims and seek advice from GDASS and the multi-agency clinic led by Jane Harvey.

We hope that our Early Help Offer will provide the “front door” through which parents and children can access additional support at any level.

#### **Child Sexual Exploitation**

At Berkhamstead School and Day Nursery we as a staff have read the current Keeping Children Safe in Education. We would refer to the CSE co-ordinator Jane Price for advice and support. We would use the GCSE screening tool available via the GSCP website.

## **Children Missing Education**

We would refer to the missing person's co-ordinator Christine Pfister. We would work with our Families First Team to provide early help. (Families First Manager Catherine Preece (01452 328076). After 10 days, the school must inform Brian Barlett.

The school will aim to have at least 2 contacts for each child.

Day 1 to 5: the school will try to establish the reason for absence. Contacting every day recording the checks made and including a home visit if other contact is unsuccessful.

By day 10, the child would be referred via email to [missingpupils@gloucestershire.gov.uk](mailto:missingpupils@gloucestershire.gov.uk).

## **Female Genital Mutilation (FGM)**

All staff are asked to complete the Home Office on-line training in order to be able to recognise the warning signs. We would refer concerns to DS Joan Mercurio.

## **Preventing Radicalisation**

Staff receive training in order to help notice warning signs based on Home Office Advice of "Notice Check Share". At Berkhamstead we teach Fundamental British Values and follow the PINK Curriculum. Any concerns would be referred to our Channel Panel chaired by Alison Williams for Gloucestershire.

We would refer concerns to local special branch officers :  
Adam Large ([adam.large@gloucestershire.ppn.police.uk](mailto:adam.large@gloucestershire.ppn.police.uk)) and Matthew Morris.

We would use [extermiedialogue.org](http://extermiedialogue.org) and the Let's Talk About It website for further information.

## **Child Abuse**

Staff all complete Peer on Peer/FGM and Prevent training.

All staff receive basic Child Protection training every 3 years.

Childline visit to educate Year 5 and 6 children every 2 years.

DSLs and Deputy DSLs receive Safeguarding training every 3 years.

Staff are regularly reminded that it is everyone's responsibility to report any concerns of abuse to the DSL. And receive specific updates at INSET and in staff meetings.

Citizenship and Wellbeing lessons follow the Gloucestershire PINK Safeguarding Curriculum.

## **Domestic Abuse**

The school has a designated Domestic Abuse Champion (Michelle Bareham). The school would encourage support from GDASS.