



Ark Burlington Danes  
Academy

# **Safeguarding Policy**

**2020-2021**

**Appendix A**

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# Protection and wider safeguarding

## Signs and symptoms of Abuse and Neglect

The following definitions are taken from '*working together to safeguard children* HM Government (2018)'. In addition to these definitions, it should be understood that children can also be abused by honour based violence, forced marriage or female genital mutilation.

### ***What is abuse and neglect?***

Abuse and neglect are forms 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 a stranger. They may be abused by an adult or adults, or another child or children.

### ***Physical abuse***

Physical abuse 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.

### ***Indicators of physical abuse / factors that should increase concern***

- Multiple bruising or bruises and scratches (especially on the head and face)
- Clusters of bruises – e.g., fingertip bruising (caused by being grasped)
- Bruises around the neck and behind the ears – the most common abusive injuries are to the head
- Bruises on the back, chest, buttocks, or on the inside of the thighs
- MARKS indicating injury by an instrument – e.g., linear bruising (stick), parallel bruising (belt), MARKS of a buckle
- Bite marks
- Deliberate burning may also be indicated by the pattern of an instrument or object – e.g., electric fire, cooker, cigarette
- Scalds with upward splash marks or tide marks
- Untreated injuries
- Recurrent injuries or burns
- Bald patches.

In the social context of the school, it is normal to ask about a noticeable injury. The response to such an enquiry is generally light-hearted and detailed. So, most of all, concern should be increased when:

- the explanation given does not match the injury
- the explanation uses words or phrases that do not match the vocabulary of the child (adult's words)
- no explanation is forthcoming
- the child (or the parent/carer) is secretive or evasive
- the injury is accompanied by allegations of abuse or assault

You should be concerned if the child or young person:

- is reluctant to have parents/carers contacted
- runs away or shows fear of going home
- is aggressive towards themselves or others
- flinches when approached or touched
- is reluctant to undress to change clothing for sport
- wears long sleeves during hot weather
- is unnaturally compliant in the presence of parents/carers.
- has a fear of medical help or attention
- admits to a punishment that appears excessive.

### ***Emotional abuse***

The persistent emotional maltreatment of a child such as to cause severe and persistent 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. 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 cyber bullying), 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.

### ***Indicators of emotional abuse***

#### ***Developmental issues***

- Delays in physical, mental and emotional development
- Poor school performance
- Speech disorders, particularly sudden disorders or changes.

#### ***Behaviour***

- Acceptance of punishment which appears excessive
- Over-reaction to mistakes
- Continual self-deprecation (I'm stupid, ugly, worthless etc)
- Neurotic behaviour (such as rocking, hair-twisting, thumb-sucking)
- Self-mutilation
- Suicide attempts
- Drug/solvent abuse
- Running away
- Compulsive stealing, scavenging
- Acting out
- Poor trust in significant adults
- Regressive behaviour – e.g., wetting
- Eating disorders
- Destructive tendencies
- Neurotic behaviour
- Arriving early at school, leaving late

#### ***Social issues***

- Withdrawal from physical contact
- Withdrawal from social interaction
- Over-compliant behaviour
- Insecure, clinging behaviour
- Poor social relationships

#### ***Emotional responses***

- Extreme fear of new situations
- Inappropriate emotional responses to painful situations ("I deserve this")
- Fear of parents being contacted
- Self-disgust
- Low self-esteem
- Unusually fearful with adults
- Lack of concentration, restlessness, aimlessness
- Extremes of passivity or aggression

### ***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.

#### *Characteristics of child sexual abuse:*

- it is often planned and systematic – people do not sexually abuse children by accident, though sexual abuse can be opportunistic
- grooming the child – people who abuse children take care to choose a vulnerable child and often spend time making them dependent
- grooming the child's environment – abusers try to ensure that potential adult protectors (parents and other carers especially) are not suspicious of their motives.

#### *Indicators of sexual abuse*

##### *Physical observations*

- Damage to genitalia, anus or mouth
- Sexually transmitted diseases
- Unexpected pregnancy, especially in very young girls
- Soreness in genital area, anus or mouth and other medical problems such as chronic itching
- Unexplained recurrent urinary tract infections and discharges or abdominal pain

##### *Behavioural observations*

- Sexual knowledge inappropriate for age
- Sexualised behaviour or affection inappropriate for age
- Sexually provocative behaviour/promiscuity
- Hinting at sexual activity
- Inexplicable decline in school performance
- Depression or other sudden apparent changes in personality as becoming insecure or clinging
- Lack of concentration, restlessness, aimlessness
- Socially isolated or withdrawn
- Overly-compliant behaviour
- Acting out, aggressive behaviour
- Poor trust or fear concerning significant adults
- Regressive behaviour, Onset of wetting, by day or night; nightmares
- Onset of insecure, clinging behaviour
- Arriving early at school, leaving late, running away from home
- Suicide attempts, self-mutilation, self-disgust
- Suddenly drawing sexually explicit pictures
- Eating disorders or sudden loss of appetite or compulsive eating
- Regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys
- Become worried about clothing being removed
- Trying to be 'ultra-good' or perfect; overreacting to criticism.

#### *Neglect*

Neglect is 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)
- ensure access to appropriate medical care or treatment

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

Neglect is a lack of parental care but poverty and lack of information or adequate services can be contributory factors.

## **Indicators of neglect**

### *Physical indicators of neglect*

- Constant hunger and stealing food
- Poor personal hygiene - unkempt, dirty or smelly
- Underweight
- Dress unsuitable for weather
- Poor state of clothing
- Illness or injury untreated

### *Behavioural indicators of neglect*

- Constant tiredness
- Frequent absence from school or lateness
- Missing medical appointments
- Isolated among peers
- Frequently unsupervised
- Stealing or scavenging, especially food
- Destructive tendencies

See further guidance here: [What to do if you're worried a child is being abused](#) – DfE advice

## **School approach to Attendance/Children Missing from Education**

Ark Burlington Danes Academy has an attendance policy which it shares with staff, parents and pupils via the school website: <http://burlingtondanes.org/secondary/policies/attendance-and-punctuality-policy>

The attendance policy recognises that all schools have safeguarding duties under section 175 of the Education Act 2002 in respect of their pupils, and as part of this should investigate any unexplained absences and gives due regard to this responsibility and the attendance policy is written in accordance with “Children missing education: Statutory guidance for local authorities” (January 2015).

See additional guidance here: [Children missing education](#) - DfE statutory guidance

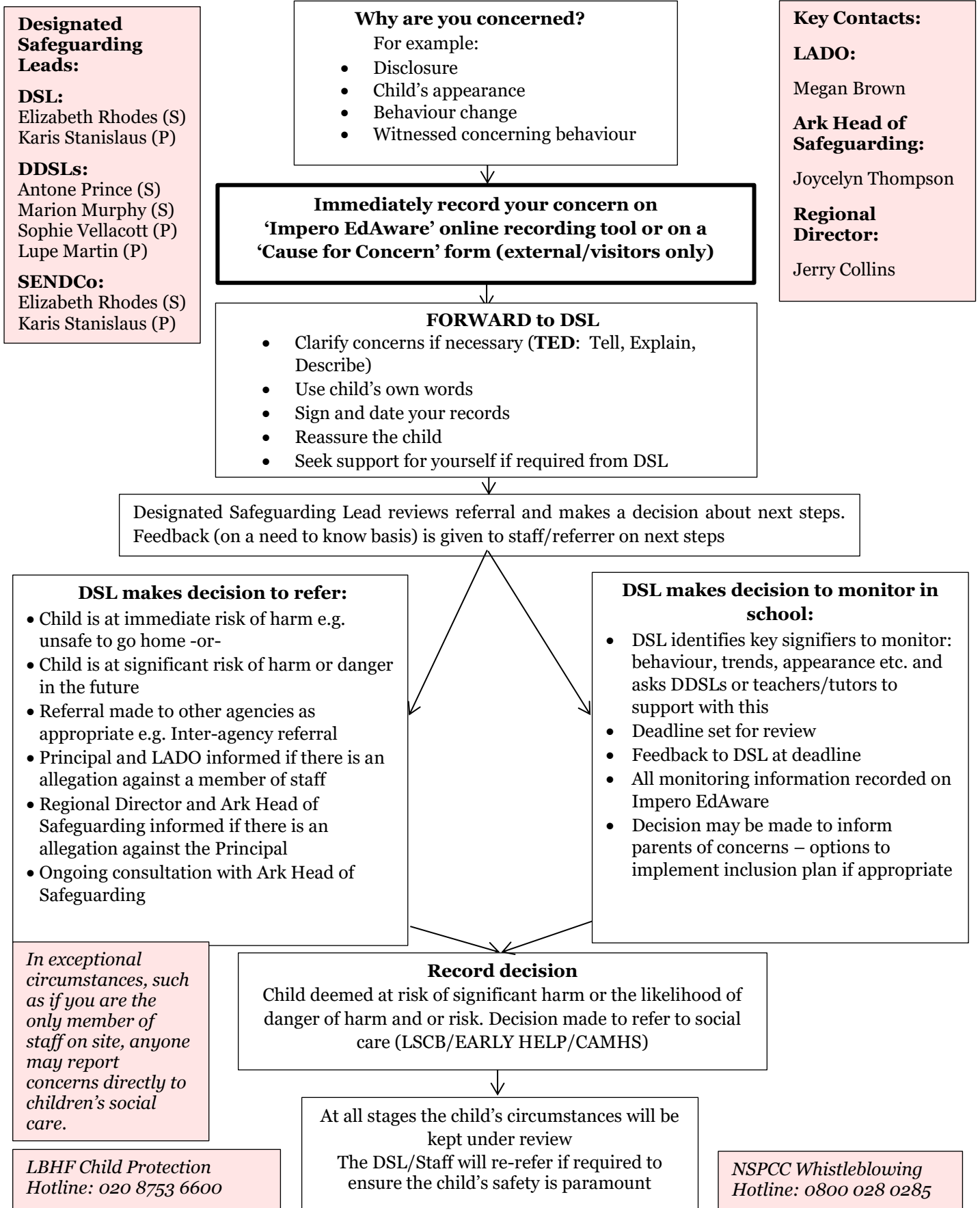
## **Dealing with Disclosures**

A member of staff who is approached by a child should listen positively and try to reassure them. They cannot promise complete confidentiality and should explain that they may need to pass information to other professionals to help keep the child or other children safe. The degree of confidentiality should always be governed by the need to protect the child.

Additional consideration needs to be given to children with communication difficulties and for those whose preferred language is not English. It is important to communicate with them in a way that is appropriate to their age, understanding and preference.

All staff should know who the Designated Safeguarding Lead (DSL) is and who to approach if the DSL is unavailable. The DSL or DDSL should be approached first to raise any concerns or safeguarding issues. All safeguarding reports should be logged first using our online system: Impero EdAware: <https://uk.edaware.cloud/login> Ultimately, all staff have the right to contact Ark Head of Safeguarding directly or make a referral to the police or social care directly and should do this if, for whatever reason, there are difficulties following the agreed protocol, e.g. they are the only adult on the school premises at the time and have concerns about sending a child home or an aggressive/violent parent on the premises.

## Flowchart for raising safeguarding concerns about a child





## Guiding principles for receiving disclosures (the 7 R's)

### 1. Receive

- Listen to what is being said, without displaying shock or disbelief
- Accept what is said and take it seriously
- Make a note of what has been said as soon as practicable

### 2. Reassure

- Reassure the pupil, but only so far as is honest and reliable
- Don't make promises you may not be able to keep e.g. 'I'll stay with you' or 'I'll keep this confidential'
- Do reassure e.g. you could say: 'I believe you', 'I am glad you came to me', 'I am sorry this has happened', 'We are going to do something together to get help'

### 3. Respond

- Respond to the pupil only as far as is necessary for you to establish whether or not you need to refer this matter, but do not interrogate for full details
- Do not ask 'leading' questions i.e. 'did he touch your private parts?' or 'did she hurt you?' Such questions may invalidate your evidence (and the child's) in any later prosecution in court
- Do not criticise the alleged perpetrator; the pupil may care about him/her, and reconciliation may be possible
- Do not ask the pupil to repeat it all for another member of staff. Explain what you have to do next and whom you have to talk to. Reassure the pupil that it will be a senior member of staff

### 4. Report

- Share concerns with the designated safeguarding lead as soon as possible
- If you are not able to contact your designated safeguarding lead, and the child is at risk of immediate harm, contact the deputy designated safeguarding lead, principal, Ark Head of safeguarding and or children's social care directly
- If you are dissatisfied with the level of response you receive following your concerns, you should press for re-consideration

### 5. Record

- If possible make some very brief notes at the time, and write them up as soon as possible on the 'Red Form'.
- Keep your original notes on file
- Record the date, time, place, people present and noticeable nonverbal behaviour, and the words used by the child. If the child uses sexual 'pet' words, record the actual words used, rather than translating them into 'proper' words
- Complete a body map to indicate the position of any noticeable bruising
- Record facts and observable things, rather than your 'interpretations' or 'assumptions'

### 6. Remember

- Support the child: listen, reassure, and be available
- Complete confidentiality is essential. Share your knowledge only with appropriate professional colleagues
- Try to get some support for yourself if you need it

### 7. Review (led by DSL)

- Has the action taken provided good outcomes for the child?
- Did the procedure work?
- Were any deficiencies or weaknesses identified in the procedure? Have these been remedied?
- Is further training required?

*What happens next?*

Above is the outline for the procedure following a concern being raised. Academy staff are aware that they may be required to assist at any level of the process if they raised the concern or if they are best placed to follow up as advised by the DSL.

After raising a concern, the member of staff should be informed by the DSL what has happened following the report being made. If they do not receive this information they should be proactive in seeking it out. The DSL may only be able to share information on a need to know basis to staff which will not cover everything but will be enough to provide support to the child.

If staff have concerns that the disclosure has not been acted upon appropriately they might inform the safeguarding governor of the school and/or may ultimately contact the children's services department.

Receiving a disclosure can be upsetting for the member of staff and schools should have a procedure for supporting them after the disclosure. This might include reassurance that they have followed procedure correctly and that their swift actions will enable the allegations to be handled appropriately. Ark Burlington Danes Academy provides support for staff via two structures; counselling and through the ARK support network. Ark Burlington Danes Academy Staff are encouraged to use these services as appropriate by the DSL or member of the senior leadership with whom the disclosure is discussed.

## Chile Sexual Exploitation (CSE): Signs and symptoms/school approach

Children and young people under the age of sixteen cannot, by law, consent to sexual intercourse and anyone engaging in sexual activity with a child under the age of sixteen is committing an offence. Whilst the age of consent is sixteen, it is illegal for those under eighteen to be paid for sexual services in money or in kind. All children involved in sexual exploitation should be treated as victims of abuse, even those aged between 16 and 18. Concern that a child, young person or vulnerable adult may be involved in sexual exploitation or at risk of being drawn into it should always initiate action to ensure child's safety and welfare.

### *Definition:*

'Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition;; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.'

*National Working Group for Sexually Exploited Children and Young People 2008*

Although the definition of sexual exploitation is long and detailed, in essence such abuse is characterised by children and young people receiving goods, favours or money in return for sexual activities. In all such exploitation, the balance of power remains with the abuser(s) through age, intellect or resources.

Children are at risk of sexual exploitation through the internet and, particularly social media. Young people may be groomed to share indecent images with others on the internet, who may be adults posing as teenagers. The prevalence of 'sexting' is a significant risk factor.

## Models of Sexual Exploitation

Three models of sexual exploitation have been identified:

Inappropriate Relationship	Boyfriend	Organised Crime
<ul style="list-style-type: none"> <li>• One abuser</li> <li>• Power and control</li> <li>• Physical, emotional, financial</li> <li>• Believe abuser is offering a genuine relationship</li> <li>• Often a significant age gap</li> </ul>	<ul style="list-style-type: none"> <li>• Initially, one abuser, grooming and gaining trust</li> <li>• Apparently consensual sexual relationship starts</li> <li>• Relationship becomes abusive</li> <li>• Victim threaten with violence and forced to engage in sexual activity with others</li> <li>• Growth in peer exploitation</li> </ul>	<ul style="list-style-type: none"> <li>• Involving criminal gangs</li> <li>• trafficking victims around the UK and the world</li> <li>• Established networks across the UK move victims from location to location</li> <li>• Forced or coerced into sexual activity with multiple partners</li> <li>• Involves buying and selling of young people</li> </ul>

Sexual exploitation affects both males and female. Services working with sexually exploited young people suggest that around a third of victims are male.

There are a number of risk factors which raise the risk of such abuse:

- a history of running away or going missing
- homelessness
- those in care or care--leavers (especially residential care)
- young people with learning difficulties
- migrant children
- unaccompanied asylum--seeking children
- those disengaged from education
- young people involved in substance misuse
- young people in gangs
- poor mental health
- parental drug/alcohol misuse
- disrupted family life
- domestic violence
- history of physical or sexual abuse

Sexual exploitation takes many forms and a range of coercive techniques is used from grooming and the development of a 'consensual' relationship, through to extreme violence. Abusers target areas where children and young people meet with a reduced level of supervision, including shopping centres, takeaways, cinemas, bus or train stations and local parks. Much of this exploitation occurs in private, away from known areas of prostitution, saunas or massage parlours.

### Warning Signs:

- going missing for periods of time
- returning home late
- disengagement from education
- poor school attendance (including truancy and school exclusions)
- appearing with unexplained gifts: clothes, jewellery, trainers, phones, money
- associating with others involved in sexual exploitation
- frequently in the company of older people, particularly boyfriends or girlfriends
- poor sexual health
- mood swings/poor anger control/changes in emotional well--being
- drug and alcohol misuse (often a method of increasing compliance)
- inappropriate sexualised behaviour, especially around strangers
- association with 'risky' adults
- chronic tiredness
- secretive behaviour

- low-level crime, e.g. shoplifting
- self-harm
- talking about visiting different areas, especially at night

*Further information:*

Safeguarding Children who may have been trafficked (DfE, 2011)

<https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>

The sexual exploitation of children: it couldn't happen here, could it? (Ofsted 2014)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/386598/The\\_sexual\\_exploitation\\_of\\_children\\_it\\_couldn't\\_happen\\_here\\_could\\_it.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/386598/The_sexual_exploitation_of_children_it_couldn't_happen_here_could_it.pdf)

Safeguarding Children and Young People from Sexual Exploitation (DCSF 2009)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/278849/Safeguarding\\_Children\\_and\\_Young\\_People\\_from\\_Sexual\\_Exploitation.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278849/Safeguarding_Children_and_Young_People_from_Sexual_Exploitation.pdf)

Puppet on a string: The urgent need to cut children free from sexual exploitation (Barnardos 2011)

[http://www.barnardos.org.uk/ctf\\_puppetonastring\\_report\\_final.pdf](http://www.barnardos.org.uk/ctf_puppetonastring_report_final.pdf)

If only someone had listened: Inquiry into Child Sexual Exploitation in Gangs and Groups (Office of the Children's Commissioner 2013):

[https://www.childrenscommissioner.gov.uk/sites/default/files/publications/If\\_only\\_someone\\_had\\_listened.pdf](https://www.childrenscommissioner.gov.uk/sites/default/files/publications/If_only_someone_had_listened.pdf)

## Child Criminal Exploitation (CCE) and County Lines (CL): Signs and symptoms / school approach

While there is still no legal definition of 'Child Criminal Exploitation' or CCE, it is increasingly being recognised as a major factor behind crime in communities across Greater Manchester and the UK, while also simultaneously victimising vulnerable young people and leaving them at risk of harm.

CCE often occurs without the victim being aware that they are being exploited and involves young people being encouraged, cajoled or threatened to carry out crime for the benefit of others. In return they are offered friendship or peer acceptance, but also cigarettes, drugs (especially cannabis), alcohol or even food and accommodation.

Children as young as 10 or 11 are being groomed to enter gangs and commit crime on behalf of older criminals. These young people are being exploited and, by being persuaded or lured into carrying out illegal activities, often with the promise of something they desire as a reward, they become incredibly vulnerable.

Victims of CCE are often fearful of getting into trouble themselves – for the very actions they have been exploited into carrying out – so it can also be difficult to get these young people to come forward and speak out about their situation

### *What is County Lines (CL)?*

CL is a term used to describe gangs, groups or drug networks that supply drugs from urban to suburban areas across the country, including market and coastal towns, using dedicated mobile phone lines or 'deal lines'. They exploit children and vulnerable adults to move the drugs and money to and from the urban area, and to store the drugs in local markets. They will often use intimidation, violence and weapons, including knives, corrosives and firearms.

CL is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and voluntary and community sector organisations. CL activity and the associated violence, drug dealing and exploitation has a devastating impact on young people, vulnerable adults and local communities.

### *Spotting the signs*

A young person's involvement in CL activity often leaves signs. A young person might exhibit some of these signs, either as a member or as an associate of a gang dealing drugs. Any sudden changes in a young person's lifestyle should be discussed with them. Some indicators of CL involvement and exploitation are listed below, with those at the top of particular concern:

- Persistently going missing from school or home and / or being found out-of-area;
- Unexplained acquisition of money, clothes, or mobile phones
- Excessive receipt of texts / phone calls
- Relationships with controlling / older individuals or groups
- Leaving home / care without explanation
- Suspicion of physical assault / unexplained injuries
- Parental concerns
- Carrying weapons
- Significant decline in school results / performance
- Gang association or isolation from peers or social networks
- Self-harm or significant changes in emotional well-being

### *What is cuckooing?*

- Drug dealers use 'cuckooing' methods to target the most vulnerable individuals in our society.
- Cuckooing may be happening in your area and we want you to know what it is, how to spot the signs and what to do;
- Cuckooing happens when a drug-dealer befriends, blackmails, or extorts a vulnerable person who often lives alone - such as someone old, or someone with a drug addiction - then takes over their home and uses it as a place to sell drugs from;
- The drug dealers then 'pay' the victim with drugs, usually crack cocaine and heroin, in exchange for staying at their home. Dealers sometimes also use the home as payment for a debt owed to them by the occupant;
- They then use the home to run their CL drugs operation from, putting the occupant and consequently the local community at risk of violence;

### *Spot the signs of cuckooing:*

- Other people seen inside the house or flat who don't normally live there
- People coming and going from the property
- More taxis and cars than usual appearing at the property
- Not seeing the person who lives there as frequently
- When you do see the occupant, they may appear anxious or distracted
- Seeing drugs paraphernalia near to the property

If you spot any of these signs you can speak to local police on 101 or call 999 in an emergency;

- If you'd rather stay anonymous you can call the independent charity Crimestoppers on 0800 555 111.

### *Spot the signs and report*

Ark Burlington Danes Academy takes seriously its responsibility to supporting the prevention of CCE and CL. When dealing with these concerns, our staff will follow these principles:

- Even if you're not sure, trust your instincts and you might help safeguard a young or vulnerable person;
- Children aged 15-17 make up the bulk of young people involved in CL, and we know both girls and boys are groomed, exploited and threatened with violence if they don't comply;
- They are exposed to physical, mental and sexual abuse, and in some instances will be trafficked to areas a long way from home as part of the network's drug dealing business;
- Often the people don't see themselves as victims, they are flattered by the attention and gifts they receive, so it's up to us all to spot the signs
- Figures from National Referral Mechanism released recently showed the number of modern slavery cases involving UK minors went from 676 in 2017 to 1,421 in 2018.

### *Some of signs of CL are:*

- Students commenting on an increase in visitors or cars to a house or flat;
- Regularly changing residence;
- Substance misuse or drug paraphernalia;
- Changes in young people: new unaffordable things, going missing, unexplained injuries;
- If you have concerns, trust your instincts.

What staff can do to help tackle CL:

- You can speak to local police on 101 or call 999 in an emergency;
- If you'd rather stay anonymous you can call the independent charity Crimestoppers on 0800 555 111;
- If you are a young person who is worried about being involved in CL, or knows someone who is, you can speak to an adult and let them know how you feel;
- You can also contact [www.fearless.org](http://www.fearless.org) who allow you to pass on information about crime anonymously;
- You can also contact Childline on 0800 1111 – they are a private and confidential service where you can talk to counsellors about anything that is worrying you.

The Home Office has published guidance for frontline professionals on dealing with CL, this is part of the government's approach to ending gang violence and exploitation.

The Guidance outlines what CL is, signs to look for in potential victims and what to do about it.

[Criminal Exploitation of Children and Vulnerable Adults: County Lines Guidance - September 2018](#)

[The Child Criminal Exploitation \(County Lines\) toolkit is available here.](#)

[The Child Exploitation Disruption toolkit is also available.](#)

## Children and the Court System

Children are sometime required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age-appropriate guides to support children [5-11-year olds \(PDF\)](#) and [12-17 year olds \(PDF\)](#).

They explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

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

## Children with Family Members in Prison

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health.

[NICCO](#) provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

## Homelessness

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

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

In most cases Ark Burlington Danes Academy will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published [joint statutory guidance](#) on the provision of accommodation for 16 and 17 year olds who may be homeless and/ or require accommodation.

## Female Genital Mutilation & mandatory reporting of FGM: Signs and symptoms/school approach

FGM is an illegal, extremely harmful practice and a form of child abuse and violence against women and girls.

FGM is a collective term for all procedures involving partial or total removal of external female genitalia for cultural or other non-therapeutic reasons. Typically it is performed on girls aged between 4 -15 or on older girls before marriage or pregnancy. **It is illegal in the UK and it is also illegal to take a child abroad to undergo FGM. There is a maximum prison sentence of 14 years for anyone found to have aided this procedure in any way.**

FGM is more common than many people realise, both across the world and in the UK. It is practised in 28 African countries and in parts of the Middle and Far East and increasingly in developed countries amongst the immigrant and refugee communities. In the UK it has been estimated that 24,000 girls under the age of 15 are at risk of FGM.

As FGM is a form of child abuse, professionals have a statutory obligation under national safeguarding protocols (e.g. Working Together to Safeguard Children 2018) to protect girls and women at risk of FGM. Since October 2015 registered professionals in health, social care and teaching also have a statutory duty (known as the Mandatory Reporting duty) to report cases of FGM to the police non-emergency number 101 in cases where a girl under 18 either discloses that she has had FGM or the professional observes physical signs of FGM.<sup>1</sup>

One specific consideration when putting in place safeguarding measures against FGM is that the potential risk to a girl born in the UK can usually be identified at birth, because through the antenatal care and delivery of the child, NHS professionals can and should have identified that the mother has

had FGM. However, FGM can be carried out at any age throughout childhood, meaning that identifying FGM at birth can have the consequence that any safeguarding measures adopted may have to be in place for more than 15 years over the course of the girl's childhood. This is a significantly different timescale and profile compared with many of the other forms of harm against which the safeguarding framework provides protection. This difference in approach should be recognised when putting in place policies and procedures to protect against FGM.

This guidance has been developed to provide information about the specific issues frequently encountered when dealing with FGM. In addition, it provides a framework which organisations may wish to adopt to support professionals in the ongoing consideration of risks pertaining to FGM.

Once concerns have been raised about FGM, there should also be a consideration of potential risk to other girls in the family and practicing community. Professionals should be alert to the fact that any one of the girl children amongst these groups could be identified as being at risk of FGM and may need to be safeguarded from harm.

### *Information sharing in relation to FGM*

Given the need to potentially safeguard over a number of years, it is appropriate to recognise here that there are a number of different responses to safeguard against FGM, and appropriate courses of action should be decided on a case by case basis, with expert input from all agencies involved. Sharing information in line with agreed policies and procedures is critical to safeguarding effectively. This is often sharing information to support safeguarding across organisational boundaries.

Staff should follow the FGM Mandatory reporting duty to report when a girl under 18 discloses she has FGM; report is to be made to the police via the 101 non-emergency number or be raised with the DSL as an immediate risk.

See further guidance here:

[Female genital mutilation: information and resources](#) - Home Office guidance

[Female genital mutilation: multi agency statutory guidance](#) - DfE, DH, and HO statutory guidance

## **Duties under the Counter Terrorism and Security Act 2015 (The 'Prevent Duty')**

The Preventing Extremism and Radicalisation Safeguarding guidance is one element within our overall school arrangements to Safeguard and Promote the Welfare of all Children in line with our statutory duties set out in s175 of the *Education Act 2002* (s157 of the Education Act 2002- for Academies).

Our school's approach to Preventing Extremism and Radicalisation Safeguarding draws upon the guidance contained in *Annex A of Keeping Children Safe in Education 2019*.

## **Peer on peer / child on child abuse: Signs and symptoms/school approach**

At Ark Burlington Danes Academy, we recognise that children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to):

- bullying (including cyberbullying);
- sexual violence and sexual harassment;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexting
- initiation/hazing type violence and rituals.

### *Definition of bullying*



The government defines bullying as:

“Behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically or emotionally.”

All episodes of bullying involve an imbalance in physical, psychological, intellectual and/or social power. The perpetrator(s) of which has (or at least appears to have) more power than the target of the bullying. Bullying, by its nature, is not a conflict between equals; but occurs when the perpetrator(s) of bullying has control over the relationship making it difficult for the person being bullied to defend themselves.

Occasionally an incident may be deemed to be bullying even if the behaviour has not been repeated or persistent – if it fulfils all the other descriptions of bullying. This possibility should be considered particularly in cases of sexual, sexist, racist or homophobic bullying and when children with disabilities are involved.

Bullying can take place between young people, between young people and staff, or between staff; face-to-face, indirectly or using a range of cyber-bullying methods.

### *Forms of bullying*

Young people are bullied for a variety of reasons – and for no reason. Bullying is often motivated by prejudice against particular groups, for example on the grounds of race, religion, gender (including transgender and gender reassignment), sexual orientation, or because a child is in residential care, ‘looked-after’, adopted or has caring responsibilities. It might also be associated with socio-economic background, academic performance, special educational needs (SEN) or disabilities, appearance or health conditions. It might be motivated by actual differences between children, or perceived differences.

Young people may experience different forms of bullying at different times and different forms of bullying at the same time. There is no “hierarchy” of bullying – all forms of bullying should be taken equally seriously and dealt with appropriately.

Bullying can take many forms and may include name-calling; taunting; mocking; making offensive comments; kicking; hitting; pushing; fighting; taking belongings; inappropriate touching; producing offensive graffiti; spreading hurtful and untruthful rumours; or always leaving someone out of groups. It is also bullying when a child or young person is pressured to act against their will by others.

Cyber-bullying may occur when a child or young person is tormented, threatened harassed, humiliated, embarrassed or otherwise targeted by another individual or group using the internet, interactive and digital technologies or mobile phones (including text messages).

Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people can forward on content at the click of a button.

However, irrespective of the behaviour, it is important to appreciate that bullying depends on how it affects the person, not on what is being done. Different people are sensitive to different things. For example, teasing, arguing, play fighting and name calling are not always bullying – but they can be if they affect somebody badly.

### *Roles within bullying*

Bullying is a complex behaviour - situations often involve a tangled web of misunderstandings, anxieties, insecurities and needs. However, different roles have been identified:

- The ring-leader, the person who through their social power can direct bullying activity;
- Assistants/associates, who actively join in the bullying (sometimes because they are afraid of the ring-leader);
- Reinforcers, who give positive feedback to the bully, perhaps by smiling or laughing;

- Outsiders/bystanders who stay back or stay silent and thereby appear to condone or collude with the bullying behaviour.
- Defenders, who try and intervene to stop the bullying or comfort young people who experience bullying.

It should be noted that the same individual can adopt different roles at different times, or indeed at the same time (a bullied young person might be bullying another child at the same time, or a seeming “reinforcer” might become a “defender” when the ring-leader is not around).

### *Signs and symptoms of bullying*

There are a whole host of signs and symptoms associated with bullying, which may include:

- Unwillingness to come to school or return to their home;
- Beginning to fall behind in their school work;
- Developing illnesses such as stomach ache or headache to get out of doing something;
- Unexplained loss or damage of clothes and/or possessions including money;
- Unexplained marks and injuries;
- Acting out of character e.g. becoming aggressive, withdrawn, anxious or distressed;
- Bullying other children or siblings;
- Loss of appetite;
- Nightmares, trouble sleeping and bed wetting;
- Attempts or threats of running away, self-harm or suicide;
- Reluctance and/or refusal to say what is troubling them.
- Disclosure

While it is important to emphasise that any of these signs and symptoms may indicate a problem other than bullying, it is essential to consider the possibility of bullying and investigate the situation as soon as possible.

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

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

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

Staff should be aware of the importance of:

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

### *Sexual violence*

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003<sup>109</sup> as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**What is consent?** Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

### *Sexual harassment*

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media;
  - sexual exploitation; coercion and threats; and
  - upskirting.

See further guidance here:

[Preventing and Tackling Bullying](#) - DfE advice

[Cyber bullying: advice for headteachers and school staff](#) - DfE advice

[Sexual violence and sexual harassment between children in schools and colleges](#) - DfE advice

### **Upskirting**

‘Upskirting’ typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence.

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

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out from paragraph 35 in Part one of KCSIE. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

See further guidance here: [Upskirting know your rights](#) – UK Government

## Serious violence: signs and symptoms / school approach

Ark Burlington Danes Academy recognises that it has a duty and a responsibility to protect pupils from gang involvement and youth violence. It also recognises that it is well established that success in learning is one of the most powerful indicators in the prevention of youth crime.

Ark Burlington Danes Academy also acknowledges that primary schools are also increasingly recognised as places where early warning signs that younger children may be at risk of getting involved in gangs can be identified.

All Academy Staff must be able to recognise the signs and symptoms of gang involvement and therefore, must have an understanding of the groups which could be identified as ‘gangs’. There are three such groups:

- **Organised Criminal Gangs** – usually made up of adults and are involved in targeted organised crime (robbery, extortion, burglary, kidnapping, etc.).
- **Street Gangs:** made up of adolescents and young adults, usually centred around a common identity or territory, or ethnic group/religion, and whose activity is centred on criminal activity and violence.
- **Peer Groups:** young people who associate with each other in groups, only some of whom may be involved in the fringes of delinquency, or actual acts of delinquency.

Ark Burlington Danes Academy understands that pupils who are exposed to any such group listed above, either through peers or through family members, are at risk of abuse (emotional, physical and/or sexual abuse or sexual exploitation) and that any pupils involved in a Peer Group (as defined above) are at risk of their involvement with gangs escalating to Street Gangs or Organised Criminal Gangs.

All staff at Ark Burlington Danes Academy should be aware of indicators that may signal that children are at risk from, or are involved with, serious violent crime. These may include:

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or a significant change in wellbeing
- signs of assault or unexplained injuries
- unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

All staff should be aware of the associated risks and understand the measures in place to manage these.

For Primary School aged children, Home Office guidance published in March 2015 ‘[Preventing youth violence and gang involvement](#)’ highlights some specific risk factors relating to likely involvement with gangs and youth violence:

<b>Factor</b>	<b>Strong risk factors for youth violence and/or gang involvement</b>
<i>Child</i>	<ul style="list-style-type: none"> <li>• Troublesome</li> <li>• High daring</li> <li>• Positive attitude towards delinquency</li> <li>• Previously committed offences</li> <li>• Involved in anti-social behaviour</li> <li>• Substance use</li> </ul>

	<ul style="list-style-type: none"> <li>• Aggression</li> <li>• Running away and truancy</li> <li>• Marijuana use</li> </ul>
<i>Family</i>	<ul style="list-style-type: none"> <li>• Disrupted family</li> <li>• Poor supervision</li> </ul>
<i>School</i>	<ul style="list-style-type: none"> <li>• Low academic achievement</li> <li>• Learning disability</li> </ul>
<i>Peer group</i>	<ul style="list-style-type: none"> <li>• Peers involved in crime and/or anti-social behaviour</li> </ul>
<i>Community</i>	<ul style="list-style-type: none"> <li>• Marijuana availability</li> <li>• Young people in the community involved in anti-social behaviour</li> </ul>

More broadly, Ark Burlington Danes Academy staff must be able to recognise the following as indicators of possible gang involvement:

- Sudden loss of interest in school, loss of attendance or achievement
- Starting to use new or unknown slang words
- Coming into unexplained money or possessions
- Staying out late without reason
- Changes in appearance, wearing a style or “uniform” that is the same as other young people
- New nickname
- Unexplained injuries
- Graffiti style “tags” on possessions, school books, walls
- Constantly talking about another young person who has a lot of influence over them
- Broken off from old friends and now spends most of time with one group.
- Increased use of social work network sites
- Adopting certain codes of group behaviour, ways of talking, gestures or hand movements
- Scared when entering certain areas, and anxious about the presence of unknown youths
- Expressing aggressive or intimidating views towards other groups of young people, some of whom may have been friends before

When a pupil is identified as being at risk of being involved with gangs or youth violence, these concerns must be shared with the DSL, using the safeguarding procedures detailed within this policy and where a judgement is made that input from external agencies is needed, the designated person will seek advice from the local authority, but also from the designated safer schools officer and the teacher who leads on the Academy’s Prevent strategy.

There are specific topics and skills that Ark Burlington Danes Academy recognises it is important to teach pupils (in an age appropriate manner) in order to highlight the risks of gang involvement to pupils and to prevent gang involvement or youth violence:

- ‘Joint Enterprise’
- Anti-social behaviour and its impact
- Recognising and addressing ‘Peer Pressure’
- Conflict resolution skills
- Definitions of violence and abuse

Ark Burlington Danes Academy recognises that children who become involved in gangs or youth violence pose a risk to themselves and others and may at times be in possession of prohibited items. As a result, Ark Burlington Danes Academy will search pupils and confiscate prohibited items if school leaders believe a pupil may be in possession of a weapon (including knives), alcohol, illegal drugs, tobacco (and related paraphernalia), pornographic material, fireworks or stolen items

School leaders will use the powers provided in the Department of Education guidance ‘Use of Reasonable Force – guidance for headteachers, staff and governing bodies’ (July 2013) to search pupils without consent if a concern is raised that the pupil(s) in question may be in possession of a weapon or illegal drugs.

At Ark Burlington Danes Academy, all searches of pupils will be conducted in the presence of at least two members of staff and in the presence of a senior leader; in all instances of physical intervention,

the staff involved are required to record the use of physical intervention with a written report. This report must be given directly to the DSL immediately.

See the government's Serious Violence Strategy for more information on this:  
<https://www.gov.uk/government/publications/serious-violence-strategy>

[Gangs and youth violence: for schools and colleges](#) - Home Office advice

## Contextual safeguarding: Signs and symptoms / school approach

Safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside the school or college. All staff at Ark Burlington Danes Academy are trained to consider the context within which such incidents and/or behaviours occur.

This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

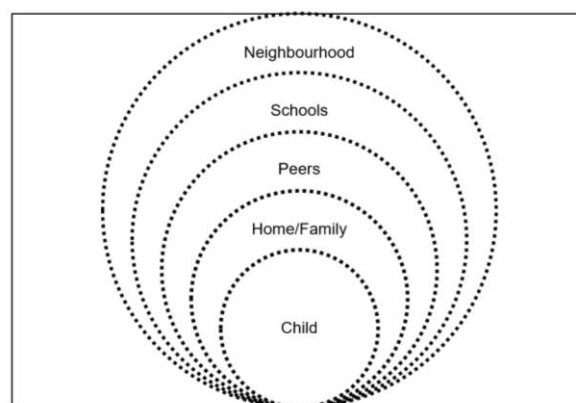


Figure 1: Contexts of Adolescent Safety and Vulnerability( Firmin 2013:47)

### *Contextual Safeguarding and Child Protection*

A Contextual Safeguarding system supports the development of approaches which disrupt/change harmful extra-familial contexts rather than move families/young people away from them. While parents/carers are not in a position to change the nature of extra-familial contexts those who manage or deliver services in these spaces are; and they therefore become critical partners in the safeguarding agenda. This approach would extend the concept of 'capacity to safeguard' beyond families to those individuals and sectors who manage extra-familial settings in which young people encounter risk.

In summary, Contextual Safeguarding provides a framework against which to design safeguarding systems that address extra-familial risk. In doing so it:

- Recognises the weight of peer influence on the decisions that young people make
- Extends the notion of 'capacity to safeguard' to sectors that operate beyond families
- Provides a framework in which referrals can be made for contextual interventions that, when delivered effectively, can complement work with individuals and families

More information on contextual safeguarding can be found here:  
<https://contextualsafeguarding.org.uk/about/what-is-contextual-safeguarding>

## Non-Collection of Children and Releasing Children during the school day

In the event that a child is not collected by an authorised adult at the end of the school day, we put into practice agreed procedures. These ensure the child is cared for safely by an experienced and qualified member of staff who is known to the child and ensure that the child receives a high standard of care in order to cause as little distress as possible.

We inform parents/carers of our procedures so that, if they are unavoidably delayed, they will be reassured that their children will be properly cared for.

### *Procedures*

Parents are asked to provide specific information which is recorded on our Registration Form, including: home address and telephone number of the primary parent or carer and the contact information of at least two additional adults who are authorised by the primary parent or carer, information about who has parental responsibility for the child, and information about any person who does not have legal access to the child.

On occasions when parents are aware that they will not be at home or in their usual place of work, they inform the School Office in advance of how they can be contacted.

On occasions when parents or the persons normally authorised to collect the child are not able to collect the child, they inform the School Office in advance of the name, address and telephone number of the person who will be collecting their child. We agree with parents how the identification of the person who is to collect their child will be verified. Within Early Years this will be by an agreed password. Within Early Years we will not allow any child to be collected by persons known, or unknown to us, for whom we have not been given written or verbal consent for them to collect.

Parents are informed that if they are not able to collect the child as planned, they must inform us so that we can begin to take back-up procedures.

The number for the School Office is: 0208 735 4950. **NO CHILD WILL BE LEFT WAITING ALONE.**

If a child is not collected at the end of the session/day, we follow the following procedures:

#### *Early Years and Primary School children*

- The child's file and register is checked for any information about changes to the normal collection routines.
- If no information is available, parents/carers are contacted at home, or at work. If this is unsuccessful, the adult/s who are authorised by the parent to collect their child from the setting and whose telephone numbers are recorded on the Registration Form and 'All about me' record, are contacted.
- All reasonable attempts are made to contact the parents or nominated carers.
- The child does not leave the premises with anyone other than those named on the Registration Form, 'All about me' record, or additional information stored in their file.
- If no authorised adult makes contact, or collects the child after one hour of the setting closing at the end of the day and there is no-one who can be contacted to collect the child, we apply the procedures for uncollected children which is;
- We contact our local authority children's social services care team: (Monday – Thursday up to 5pm, Friday 4.30pm) 0300 555 1384 (telephone number) Out of hours care team: 0300 555 1373 (telephone number)
- The child stays at the setting in the care of two fully-vetted members of staff until the child is safely collected either by the parents, authorised adult, or by a social care worker.
- Social Care will aim to find the parent or relative if they are unable to do so, the child will become looked after by the local authority.
- Under no circumstances do staff go to look for the parent, nor do they take the child home with them.
- A full written report of the incident is recorded in the child's file.
- Depending on circumstances, we reserve the right to charge parents for the additional hours worked by our staff. • Ofsted may be informed: 03001231231 (telephone number)

#### *Secondary School*

- In the Secondary School, children are able to travel to and from school without a parent or carer.

- If an adult arrives during the school day to collect a child, we will check the register and check with the child's Head of Year to confirm whether this has been authorised.
- If we have no evidence of authorisation, we will ask the adult to provide identification to prove that they have parental responsibility for the child.
- If the adult is not recorded as a trusted adult in our register, we will not release the child unless given verbal or written confirmation by an adult with parental responsibility via phone or email.
- If an adult is recorded as having parental responsibility for a child, we cannot refuse to release the child to this adult. If parents wish to change parental responsibility they will need to proceed through family courts and inform the school in writing once legal documents have been obtained.

Depending on circumstances, we reserve the right to charge parents for the additional hours worked by our staff. If a senior school pupil is not collected at the end of a trip, we reserve the right to call a taxi and send the pupil home in that, charged to the parent.

## Supporting Transgender Pupils

See the Ark Burlington Danes Academy 'Supporting Transgender Pupils' policy:

<http://burlingtondanes.org/policies/supporting-transgender-pupils>

## Medicine & First Aid

- The Principal is responsible for ensuring that:
- First aid is available at all times on site and at offsite trips.
- There is adequate provision of first aid provision:
- All staff have received first aid training
- First aid boxes are in school office and playgrounds, and at least one per floor
- All staff know the named first aid supervisors and where their nearest first aid box is kept.

First aiders are responsible for ensuring that:

- First aid boxes are adequately restocked with supplies relevant to likely use
- An ambulance or other professional medical help is summoned when appropriate
- Gloves are always used when treating open wounds and all materials are properly disposed of
- A child who vomits or has diarrhoea in school is sent home immediately.
- Children with these conditions should not be accepted back in to school until 24 hours after the last symptom has disappeared
- When a pupil suffers a knock to the head, any bruising or swelling is treated with an ice pack and their parents are informed

For further information, see the Ark Burlington Danes Medical Policy:

<https://burlingtondanes.org/sites/default/files/Supporting%20Pupils%20with%20Medical%20Conditions%20-%20April%202016-September%202020.pdf>

## Health & Safety

Ark Burlington Danes Academy aims to place first the safety of our students and staff.

*Practice and guidance:*



The Health and Safety Policy at BDA is based on the principle of each and every member of staff recognising that, under the Act, they have a personal responsibility for their own safety as well as for the safety of anyone who may be affected by their acts or omissions at work. Staff also have to co-operate, as far as is reasonable and necessary, with their employers in fulfilling their duties under the Act and supporting legislation as well as under the Academy's Health and Safety Policy.

The Governors of Burlington Danes Academy recognise and accept their responsibilities in providing a safe and healthy environment for the staff employed by the Academy, for the students attending it and for other persons on the premises.

For further information, see the Ark Burlington Danes Health and Safety Policy (available on request).

## Educational visits/Transporting children on school activities

Ark academies are expected to follow the DfE guidance regarding health and safety on off-site (or educational visits). The guidance takes the form of a main guide entitled 'Health & Safety of Pupils on Educational Visits' (1998), Health and Safety Advice for Schools (2013) and three supplements published in 2002:

- 'Standards for LEAs in overseeing educational visits'
- 'Standards for adventure'
- 'Handbook for group leaders'

Template forms for school trips are provided by Ark. The Principal shall designate a member of staff to act as the educational visits co-ordinator. It is the responsibility of this person to ensure that staff are advised of their responsibilities within the guidance.

At Ark Burlington Danes Academy we have a strong commitment to the added value of learning beyond the statutory academy day and beyond the academy premises. We believe that adventurous and challenging academy visits are a vital part of a pupil's education. They can develop teamwork skills, resilience and confidence, as well as supplement and enrich the curriculum of the academy by providing experiences which would otherwise be impossible. Off-site activities must serve an educational purpose, enhancing and enriching our pupils' learning experiences.

Uncertainty is inherent in adventure, but a child's development should not be stifled by the need to consider risk without first estimating its likelihood and balancing this against possible benefits. The purpose of this policy document is to ensure that all off-site visits are correctly planned, managed and supervised so that pupils can safely participate in the opportunities that are offered.

It is rare that a well-planned exercise leads to accidental injury. It will instead be most likely to bring a sense of enterprise, accomplishment and fun, so vital for judgement, maturity and wellbeing, which must nearly always offset the residual and inevitable risk. We believe that, "we must try to make life as safe as necessary, not as safe as possible."

This policy covers all educational visits which occur outside of the academy premises. This ranges from walks around the locality to residential visits of several days' duration and outdoor and adventurous activities.

### *Roles and Responsibilities*

The EVC will:

- Ensure that off-site activities comply with policy procedure.
- Undertake the functions of the Educational Visits Coordinator (EVC).
- Attend EVC training courses every 3 years.
- Approve party leaders and additional staff who are sufficiently experienced and competent to assess and manage the risks with regard to the group and planned activity.

- Ensure that risks have been assessed, significant risks recorded and appropriate safety measures are in place and that all parties are aware of the assessments and that all staff understand and comply.
- Ensure the final planning checklist is completed and all supporting documents are completed before the visit takes place.
- Ensure formal approval is given to each journey or visit before it is communicated to parents.
- Comply with ARK Schools monitoring arrangements and monitor off-site visits.
- Approve delegated visits.
- Approve competent people to lead or otherwise supervise a visit.
- Support the party leader with advice and guidance on risk assessments.
- Review and approve the risk assessment produced by the party leader and team for each visit.
- Check the emergency arrangements are adequate and ensure there is an emergency contact for each visit.
- Receive, evaluate, action if necessary and archive the Group Leader's Evaluation and Trip/ Outing Report and any other significant documentation (e.g. that which is related to an accident/ incident).
- Review systems and monitor practice.

#### *The Party Leader will:*

- Complete a written plan outlining the visit purpose and submit a cost breakdown.
- Obtain approval from the Headteacher before any off-site visit or activity takes place.
- Arrange a pre-visit.
- Assess the reasonably foreseeable risks involved during the pre-visit and draw up or amend as appropriate any previously recorded risk assessment.
- Oversee the safe conduct of each visit, paying particular attention to on going risk assessments and changing circumstances.
- Ensure that all other members of staff and voluntary helpers are made aware of their responsibilities and have the appropriate training and experience to undertake their assigned roles.
- Consider the planning checklist to ensure that all procedures have been followed.
- Inform parents about the visit and gain their consent, where appropriate.
- Additional members of staff and volunteers (other academy stakeholders) will:
- Be given written instructions to ensure that they are familiar with procedures/ protocols.
- Assist the party leader to ensure the health, safety and welfare of all the young people on the visit.
- Be clear about their roles and responsibilities whilst taking part in the visit or activity.
- Hold an up to date DBS check if left alone with a group of children.

#### *Pupils will:*

- Be made aware of their responsibilities on the visit by the party leader and other members of staff, for their own health and safety and that of the group.
- Not take unnecessary risks.
- Follow the instructions of the party leader and other members of staff.
- Behave sensibly, keeping to any agreed code of conduct.
- Inform members of staff of any significant hazards.

#### *Parents/ Carers will:*

- Inform the party leader about any medical, psychological or physical condition relevant to the visit.
- Provide emergency contact numbers.
- Sign the consent form.

#### *Competence to Lead*

Any member of staff leading a visit will need to have their 'competence to lead' assessed before approval for the visit is granted. For the majority of visits this will be assessed by the EVC. In

assessing competence to lead, the EVC will take account of the factors stated in the ARK Schools 'Off-site visits policy and guidance' March 2013.

### *Before the Visit:*

Discuss the proposed visit with the EVC/ Headteacher and complete OSA1 – Proposal to organize an educational off-site visit/ activity.

If approved:

- Undertake a pre-visit
- Complete OSA6 – Risk Assessment Template (the risk assessment should include any potential hazards including any pupils to take into consideration) to be approved by the EVC
- Complete OSA3 – Completed details of educational off-site visit/ activity
- Book visit
- Book transport – Children in London are entitled to free travel for school visits, the booking form has to be submitted to TFL at least 3 weeks in advance of the visit
- At least a week before trip let the catering staff know exactly how many packed lunches are required for pupils eligible for free school meals
- At least 2 weeks before send a letter to parents with a permission slip specific to your outing
- Arrange for parents/ helpers to accompany you (see ratio section)
- Complete OSA4 – participant list and OSA5 – emergency information
- Set up a meeting to share relevant information (e.g. risk assessments, behaviour expectations, timetables, routes etc.) with all participants.

### *Assessment of Risk*

'Risk assessment' is careful examination of what could cause harm to pupils, staff, helpers, together with the identification of the control measures necessary in order to reduce risks to a level which, in the professional judgement of the assessor, is deemed to be acceptable (i.e. low).

In considering risk, there are 3 levels of which visit leaders should be mindful:

- Generic Risks – normal risks attached to any activity out of school
- Event Specific Risk – any significant hazard or risk relating to the specific activity and outside the scope of the generic risk
- Ongoing/ Dynamic Risk – the monitoring of risks throughout the actual visit as circumstances change. This is why leader competence is a critical factor.

### *Approval for Visits*

- The Headteacher/EVC will approve all offsite visits
- The LGB will approve residential visits

### *Plan 'B'*

Despite the most detailed and meticulous pre-visit planning, things can go wrong on the day, (e.g. a member of staff has been taken ill, transport fails to arrive, booking has been lost etc.). To avoid having to make important decisions under pressure, it is important that some advanced thinking is done to cater for any foreseeable eventuality.

### *Staffing Ratios*

A professional judgement must be made by the Visit Leader, EVC & Headteacher as to the appropriate ratio for each visit.

<b>Age of pupils</b>	<b>Ratio of staff to pupils</b>
11-15	1:10
16+	1:15

The above however will be determined by:

- Type, duration and level of activity
- Needs of individuals within the group (SEN)
- Experience and competence of staff and accompanying adults
- Nature of the venue
- Weather conditions at the time of year
- Nature of transport involved

On every occasion when ratios change the EVC must be informed and must sanction the revised ratio.

### *Supervision*

Pupils must be supervised throughout all visits.

### *First Aid*

The level of first aid provision should be based on risk assessment.

First aid kits are available from the school office; if the visit involves the party splitting up by any distance, a kit should be taken for each group.

### *Transport*

Travel arrangements should be included in the risk assessment. If public transport is to be used, all pupils and supervisors must be fully briefed as to procedures on platforms, at bus stops, on busy streets etc. If travel is by coach or minibus all participants must wear a seatbelt. The driver of a minibus must have the appropriate driving certificate.

### *Emergency Procedures*

All staff involved in a visit should be aware of what action to take in the event of an emergency. Ensure the rest of the group are safe, decide if you need specialist help and either; contact the school, emergency services and/ or parents (liaise with onsite First Aiders). For visits that take place outside of academy hours the academy mobile phone must be with the leader at all times.

### *Equality Impact Statement*

We will do all we can to ensure that this policy does not discriminate, directly or indirectly. We shall do this through regular monitoring and evaluation of our policies. On review we shall assess and consult relevant stakeholders on the likely impact of our policies on the promotion of all aspects of equality, as laid down in the Equality Act (2010). This will include, but not necessarily be limited to: race; gender; sexual orientation; disability; ethnicity; religion; cultural beliefs and pregnancy/ maternity. We will use an appropriate Equality Impact Assessment to monitor the impact of all our policies and the policy may be amended as a result of this assessment.

## **Intimate care**

It is essential that every child is treated as an individual and that care is given as gently and as sensitively as possible. As far as possible, the child should be allowed to exercise choice and should be encouraged to have a positive image of his/her own body. It is important for staff to bear in mind how they would feel in the child's position. Given the right approach, intimate care can provide opportunities to teach children about the value of their own bodies, to develop their safety skills and to enhance their self-esteem. Parents and staff should be aware that matters concerning intimate care will be dealt with confidentially and sensitively and that the young persons' right to privacy and dignity is maintained at all times.

### *Supporting a pupil with dressing/undressing*

Sometimes it will be necessary for staff to aid a child in getting dressed or undressed, particularly in Early Years and Nursery. Staff will always encourage children to attempt undressing and dressing unaided.

### *Providing comfort or support*

Children may seek physical comfort from staff (particularly, but not limited to, children in Nursery and Reception). Where children require physical support, staff need to be aware that physical contact must be kept to a minimum and be child-initiated. When comforting a child or giving reassurance, the member of staff's hands should always be seen and a child should not be positioned close to a member of staff's body which could be regarded as intimate. If physical contact is deemed to be appropriate staff must provide care which is suitable to the age, gender and situation of the child.

If a child touches a member of staff in a way that makes him/her feel uncomfortable this can be gently but firmly discouraged in a way which communicates that the touch, rather than the child, is unacceptable.

If a member of staff feels a child has touched them in an inappropriate manner, with intent to make him/her feel uncomfortable, or feels that the child has touched them in a sexualised manner, then the member of staff should inform the Designated Safeguarding Lead immediately. The DSL should then investigate the matter and decide on appropriate actions which may involve reporting the incident to the police.

### *Medical procedures*

If it is necessary for a child to receive medicine during the school day parents must fill out a permission form from the school office and discuss their child's needs with a member of staff before the school agrees to administer medicines or medical care. It must be made clear to parents that staff administration of medicines is voluntary.

Any member of staff giving medicine to a pupil should check:

- The pupil's name
- The written instructions provided by parents or doctor
- c) The prescribed dose
- d) The expiry date

Particular attention should be paid to the safe storage, handling and disposal of medicines.

The Principal has prime responsibility for the safe management of medicines kept at school. This duty derives from the Control of Substances Hazardous to Health Regulations 2002 (COSHH). School staff are also responsible for making sure that anyone in school is safe. Medicines should generally be kept in a secure place, not accessible to pupils but arrangements must be in place to ensure that any medication that a pupil might need in an emergency is readily available.

### *Soiling*

Intimate care for soiling should only be given to a child after the parents have given permission for staff to clean and change the child. Parents may sign a permission form so that the Early Years staff can clean and change their child in the event of the child soiling themselves.

If a parent does not give consent, the school will contact the parents or other emergency contact giving specific details about the necessity for cleaning the child. If the parents/carers or emergency contact is able to come within a few minutes, the child is comforted and kept away from the other children to preserve dignity until the parent arrives. Children are not left on their own whilst waiting for a parent to arrive, an adult will stay with them, giving comfort and reassurance. The child will be dressed at all times and never left partially clothed.

If a parent/carer or emergency contact cannot attend, the school seeks to gain verbal consent from parents/carers for staff to clean and change the child. This permission will be sought on each occasion that the child soils him or herself.

If the parents and emergency contacts cannot be contacted the Headteacher will be consulted. If put in an impossible situation where the child is at risk, staff will act appropriately and may need to come into some level of physical contact in order to aid the child.

When touching a child, staff should always be aware of the possibility of invading a child's privacy and will respect the child's wishes and feelings.

If a child needs to be cleaned, staff will make sure that:

- Protective gloves are worn
- The procedure is discussed in a friendly and reassuring way with the child throughout the process
- The child is encouraged to care for him/herself as far as possible
- Physical contact is kept to the minimum possible to carry out the necessary cleaning; e.g. privacy is given appropriate to the child's age and the situation
- All spills of vomit, blood or excrement are wiped up and flushed down the toilet
- Any soiling that can be, is flushed down the toilet
- Soiled clothing is put in a plastic bag, unwashed, and sent home with the child

### *Hygiene*

All staff must be familiar with normal precautions for avoiding infection, must follow basic hygiene procedures and have access to protective, disposable gloves.

### *Protection for Staff*

Members of staff need to have regard to the danger of allegations being made against them and take precautions to avoid this risk. These should include:

- Gaining a verbal agreement from another member of staff that the action being taken is necessary
- Allowing the child, wherever possible, to express a preference to choose his/her carer and they should be encouraged to say if they find a carer to be unacceptable
- Allowing the child a choice in the sequence of care
- Being aware of and responsive to the child's reactions

Refer to the Ark Burlington Danes Academy Intimate and Personal Care of Pupils policy for further information:

<http://burlingtondanes.org/policies/intimate-and-personal-care-pupils>

## Special Educational Needs and Disabilities

Ark Burlington Danes Academy recognises that students with additional special educational needs and disabilities may be at more risk of safeguarding issues than their peers.

Refer to the Ark Burlington Danes Academy SEND Policy: <http://burlingtondanes.org/inclusion>

## IT Acceptable Use Agreement

### *Overview*

The intention in publishing and deploying an Acceptable Use Policy is not to impose restrictions that are contrary to the established culture of openness, trust and integrity. This policy exists because ARK is committed to protecting employees, partners and the company from illegal or damaging actions by individuals, either knowingly or unknowingly.

All information technology assets procured or funded by ARK IT including but not limited to computer equipment, software, operating systems, storage media, network accounts providing email, WWW browsing, and SSL Explorer are the property of ARK and are governed by this policy. These systems are to be used for business purposes in serving the interests of the organisation.

Section 8 “Professional Responsibilities” covers all users using information technology assets in any capacity whether they are procured or funded by ARK or part of the user’s domestic or personal provision.

Acceptable and appropriate use is a team effort involving the participation and support of every ARK member of staff. It is the responsibility of every user to know these guidelines, and to conduct their activities accordingly.

### *Purpose*

The purpose of this policy is to outline the acceptable use of computer equipment and the associated services within ARK. These rules are in place to protect both the employee and ARK because inappropriate use exposes us all to unnecessary risk.

### *Scope*

This policy applies to all employees, contractors, consultants, temporary employees, other workers at ARK and the academies and overseas employees including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by ARK.

### *General Use and Ownership*

While ARK seeks to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remains the property of ARK. The need to comply with legislation or to protect ARK means that ARK cannot guarantee the confidentiality of information stored on any network device belonging to ARK.

ARK reserves the right to audit equipment, systems and network traffic on both a periodic basis or randomly to ensure compliance with this policy. This includes email (both inboxes and other folders); the hard drives of individual devices and user areas on networked devices.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use. If there is any uncertainty, employees should consult their supervisor or manager.

ARK recommends that any information that users consider sensitive or vulnerable be encrypted. For advice and support in this regard users should contact ARK IT through the following channels:

- Email using [ithelpdesk@Arkonline.org](mailto:ithelpdesk@Arkonline.org);
- Call ext 1789; or
- Use the website <http://servicedesk.Arkonline.org>

### *Security and Proprietary Information*

Users must keep passwords secure in accordance with the Password Policy and should not share account details with anyone. This includes family and other household members when work is being done at home.

Employees must use caution when opening email attachments received from unknown senders, which may contain viruses, email bombs, or Trojans. Any concerns in this regard should be reported immediately to ARK IT through the Service Desk as detailed above in para 4.4.

### *Unacceptable Use*

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g. systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).

Engaging in any activity that is illegal (e.g. illegal downloads, software piracy etc.) under local, national or EU legislation and / or statute (no exceptions);

For further information, refer to the Ark Burlington Danes Academy IT and Acceptable Use Policy:

<http://burlingtondanes.org/secondary/policies/aup-policy>

## Whistleblowing

The Ark Schools Whistleblowing Policy ensures that procedures are in place to enable staff to raise concerns regarding serious wrongdoing without fear of reprisal and to do so with confidence that there will be a fair and impartial investigative procedure through which they will receive appropriate feedback.

The Ark Schools Whistleblowing Policy is applicable to concerns regarding wrongdoing within Ark Schools in relation to matters such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Governing Body or by fellow employees.

All employees and volunteers at Ark Burlington Danes Academy will be directed as to where to find the Ark Schools Whistleblowing Policy as part of the induction process.

Similarly, all Academy employees and volunteers are issued with the most recent edition of 'Keeping Children Safe in Education' (updated 2019), which informs readers that where they are concerned that the designated senior person is not taking appropriate steps to keep a child or children safe, they should contact social care directly:

<http://burlingtondanes.org/policies/whistleblowing-policy>

## Definition of Private Fostering

A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 18, if disabled) with someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more. It is not private fostering if the arrangement was made by social services.

Examples of private fostering situations include:

- children and teenagers living apart from their families for a variety of reasons e.g. if a parent is ill, has had to temporarily move for work or there has been an argument within the family
- children with parents working or studying elsewhere in the UK
- children with parents overseas
- children on holiday exchanges.

Current arrangements for the regulation of private fostering originate from concern following the death of Victoria Climbié in 2000. Victoria was privately fostered by her great aunt. Arrangements were codified in the Children Act 2004. Following this, the *Children (Private Arrangement for Fostering) Regulations 2005* set out the duties of local authorities in their arrangements for private fostering, and national minimum standards for local authorities were published in 2005.

See further guidance here: [Private fostering: local authorities](#) - DfE statutory guidance

## Children /Young People with Medical Needs

There will be occasions when children are temporarily unable to attend school on a full-time basis because of their medical needs. These children and young people are likely to be:

- children and young people suffering from long-term illnesses
- children and young people with long-term post-operative or post-injury recovery periods
- children and young people with long-term mental health problems (emotionally vulnerable)

The phrase "long-term" defines any period exceeding 15 continuous school days of absence from school because of medical needs.



Where it is clear that an absence will be for more than 15 continuous school days, then the school should discuss further with Ark Central and their Local Authority and should not automatically be delayed until the 16<sup>th</sup> day of absence.

It is important that the referring school must notify the School Nurse service at the point it is identified that the child or young person medical need is preventing their attendance at school.

At all times during the period of absence the young person will remain on the roll of their home school and the home school will retain ultimate educational responsibility for the young person.

#### *Referral to the Local Authority Education Inclusion Service:*

Referral to the Education Inclusion Service (EIS) must be made by the young person's home school and must be made via the Education and Inclusion Service referral form. Referrals should normally be supported by either:

- a Hospital Consultant
- a Senior Clinical Medical Officer
- a Consultant Child Psychiatrist
- a General Practitioner (GP)
- an Education Psychologist

Refer to the Ark Burlington Danes Medical Needs Policy for further information:

<http://burlingtondanes.org/policies/medical-policy>

See also further guidance here: [Medical-conditions: supporting pupils at school](#) - DfE statutory guidance

## Responding to self-harm, suicide, mental health

Ark Burlington Danes Academy recognises that in order for pupils to be successful, the academy and all academy staff have a role to play in supporting them to be resilient and mentally healthy. In addition, it is understood that mental health problems can themselves be a sign or symptom of connected safeguarding concerns for a young person and/or leave them vulnerable to other specific safeguarding issues.

The Academy also recognises that the early identification of mental health problems is critical in seeking to prevent the dangerous outcomes they can lead to such as suicide, self-harm or suicidal ideation. At Ark Burlington Danes Academy we work closely with the mental health charity, Place2Be. We commission Place2Be to offer in school mental health support for our students. Their counsellors support students through a wide range of issues including self-harm and low self-esteem.

The PSHE curriculum at Ark Burlington Danes Academy actively teaches pupils to approach matters of mental health in the same manner they would approach matters of physical health: seek advice from medical professionals, allow time for healing or recovery, plan to manage any symptoms as effectively as possible and seek support and comfort.

The academy also acknowledges that any stigma which is allowed to be associated with mental health problems and any condemnation of young people presenting with self-harming behaviours undermines all attempts to promote good mental health and to address mental health problems.

Academy staff will also challenge the expression of views from pupils, colleagues or parents that mental health problems and self-harming behaviours are unimportant or dishonourable and where necessary, escalate such matters to the senior leadership team.

Ark Burlington Danes Academy staff recognise that pupils experiencing a range of behaviour or emotional problems that are outside of the normal range of their age or gender could be displaying signs or symptoms of mental health problems. Such problems could include emotional disorders (phobias or anxiety states), conduct disorders (defiance or ASB), hyperkinetic disorders (attention and disturbance), developmental delays, attachment difficulties or eating disorders.

Form Tutors, Heads of Year and other school leaders involved in pastoral care and safeguarding meet on a weekly basis at Ark Burlington Danes Academy. Where concerns are raised that a pupil may be experiencing mental health problems, the concerns will be shared with the Designated Safeguarding Lead and then with the pupil and with the family before deciding together the best approach. This might involve making a referral to the school-based counselling services or making a referral to local healthcare professionals such as Place2Be, CAMHS or the local GP.

Where mental health problems present a persistent barrier to learning, it may be appropriate to identify the pupil has having SEN (Special Educational Needs) and such a decision should be taken by the academy SENDCo in collaboration with the Designated Safeguarding Lead.

All staff at Ark Burlington Danes Academy understand that certain individuals or groups are more at risk of mental health problems than others and that the risk factors are cumulative. Ark Burlington Danes Academy staff also understand that there are many protective factors and therefore work together with colleagues, pupils, families and other professionals to promote such protective factors (see table of protective and risk factors on the next page).

At Ark Burlington Danes Academy, in addition to the whole-academy PSHE curriculum, protective factors are also promoted by having clear policies on behaviour and bullying (see relevant section above) and by quickly addressing negative peer influences using the academy behaviour policy. Drop-in counselling services such as Place 2Be are also provided and there is an emphasis on positive classroom management based around using the least invasive form of intervention. Most importantly the academy has high expectations for all pupils academic success and has robust systems and procedures in place for supporting pupil achievement

Staff at Ark Burlington Danes Academy recognise that significant life events can lead to mental health problems for some children regardless of the number of risk and protective factors in their lives. These may include loss or separation, life changes or traumatic events and staff are alert to the need to offer immediate intervention where necessary in response to such events and know to seek advice about such matters from the designated safeguarding lead or the project managers of the in-school counselling service.

Despite the best efforts of all staff at Ark Burlington Danes Academy, the more dangerous outcomes of mental health problems (self-harm and suicidal ideation) cannot always be prevented. In such instances, Ark Burlington Danes Academy will make every effort to address them sensitively and effectively in partnership with families, healthcare professionals and other extended services.

Where self-harm, threats of self-harm or suicidal ideation are known to have taken place, staff at Ark Burlington Danes Academy must inform the designated safeguarding lead immediately. It may be necessary in such circumstances for the pupil to be taken to the local accident and emergency centre, to receive first aid at school or to have an emergency GP appoint arranged by the family. All such decisions would be taken by the designated safeguarding lead in collaboration with the pupil and the family where appropriate to do so.

Table 1: Risk and protective factors for child and adolescent mental health Taken from: [Mental health and behaviour in schools - Departmental Guidance for Schools \(March 2016\)](#)

	<b>Risk Factors</b>	<b>Protective Factors</b>
<i>In the child</i>	<ul style="list-style-type: none"> <li>• Genetic influences</li> <li>• Low IQ and learning disabilities</li> <li>• Specific developmental delay or neuro-diversity</li> <li>• Communication difficulties</li> <li>• Difficult temperament</li> <li>• Physical illness</li> <li>• Academic struggles</li> <li>• Low self-esteem</li> </ul>	<ul style="list-style-type: none"> <li>• Being female (in younger children)</li> <li>• Secure attachment experience</li> <li>• Outgoing temperament as an infant</li> <li>• Good communication skills, sociability</li> <li>• Being a planner and having a belief in control</li> <li>• Humour</li> <li>• Problem solving skills and a positive attitude</li> <li>• Experiences of success and achievement</li> <li>• Faith or spirituality</li> <li>• Capacity to reflect</li> </ul>

<i>In the family</i>	<ul style="list-style-type: none"> <li>• Parental conflict incl. domestic violence</li> <li>• Family breakdown (incl. where children are taken into care/adopted)</li> <li>• Inconsistent or unclear discipline</li> <li>• Hostile and rejecting relationships</li> <li>• Failure to adapt to a child's changing needs</li> <li>• Any form of child abuse or neglect</li> <li>• Parental psychiatric illness</li> <li>• Parental criminality, alcoholism or disorder</li> <li>• Death and loss – incl. loss of friendship</li> </ul>	<ul style="list-style-type: none"> <li>• At least one good parent-child relationship (or one supportive adult)</li> <li>• Affection</li> <li>• Clear, consistent discipline</li> <li>• Support for education</li> <li>• Supportive long term relationship or the absence of severe discord</li> </ul>
<i>In the school</i>	<ul style="list-style-type: none"> <li>• Bullying</li> <li>• Discrimination</li> <li>• Breakdown in or lack of positive friendships</li> <li>• Deviant peer influences</li> <li>• Peer pressure</li> <li>• Poor student to teacher relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Clear policies on behaviour and bullying</li> <li>• 'open door' policy for children to raise problems</li> <li>• A whole-school approach to promoting good mental health</li> <li>• Positive classroom management</li> <li>• A sense of belonging</li> <li>• Positive peer influences</li> </ul>
<i>In the community</i>	<ul style="list-style-type: none"> <li>• Socio-economic disadvantage</li> <li>• Homelessness</li> <li>• Disaster, accidents, war, or other overwhelming events</li> <li>• Discrimination</li> <li>• Other significant life events</li> </ul>	<ul style="list-style-type: none"> <li>• Wider supportive network</li> <li>• Good housing</li> <li>• High standard of living</li> <li>• High morale school with positive policies for behaviour, attitudes and anti-bullying</li> <li>• Opportunities for values social roles</li> <li>• Range of sport/leisure activities</li> </ul>

Refer to the Ark Burlington Danes Mental Health and Wellbeing Policy for further information:

[https://burlingtondanes.org/sites/default/files/Mental%20Health%20and%20well%20Being%20Policy\\_1.pdf](https://burlingtondanes.org/sites/default/files/Mental%20Health%20and%20well%20Being%20Policy_1.pdf)

See further guidance here: [Mental health and behaviour](#) - DfE advice

### **Transition: Early Years, Secondary and post-16 provision**

Transitions are the moves that children and young people make from stage to stage in their education, for example starting nursery, primary or secondary school, moving from one school to another, or transitioning to post-16 provision.

Ark Burlington Danes Academy take seriously their responsibility to safeguard all children during their transitions. When your child is transitioning to us, we will work closely with the family, their current school and any external professionals involved with the family (e.g. social workers, family support workers, early help workers, health professionals, SEND professionals, etc.) to ensure that we have all the information that we need to keep your child safe on their arrival to us.

Similarly, when children leave Ark Burlington Danes Academy, we work closely with professionals to ensure that important safeguarding information is passed onto relevant agencies as soon as possible.

Ark Burlington Danes Academy also recognise that transitions can be a challenging and worrying time for all children and families, and we will work closely with all families to ensure that transitions are as smooth as possible by putting together a thorough induction programme to ensure that children and their families feel safe, happy and supported on their arrival at Ark Burlington Danes.

### ***Transition and Additional Needs***

Some, but not all, children with additional support needs will require extra help to make transitions successfully. Your local authority is required to plan for transitions early if your child:

- has a co-ordinated support plan
- attends a specialist unit, a day or residential special school
- has additional support needs arising from a disability ([as defined in the Disability Discrimination Act 1995](#))
- is at risk of not making a successful transition for any other reason.

Professionals working with you and your child will decide what planning and support is needed.

The [Supporting children's learning code of practice](#) sets out timescales for local authorities to plan and support your child in making smooth transitions at each stage.

If your child has additional needs,

### *Preparing for Early Years (Nursery provision)*

These are the steps that your local authority will take to ensure that your child makes a smooth transition from home to early years, once additional support needs have been identified:

1. Local authority identifies your child as likely to have additional support needs and as requiring support to make the transition to early years.
2. No later than six months before your child is due to start at the early years, the local authority must seek and take account of information and advice from appropriate agencies and others (e.g. health services, social work services, voluntary agencies and the early years provider).
3. No later than three months before your child is due to start at the early years provider, the local authority must provide information to appropriate agencies.

### *Preparing for primary/secondary school*

1. Local authority identifies your child as having additional support needs and as requiring support to make the transition to primary or secondary.
2. No later than 12 months before your child is due to start at the school, the local authority must seek and take account of information and advice from appropriate agencies or others (e.g. health services, social work services, voluntary agencies and the school).
3. No later than six months before your child is due to start at the school, the local authority must provide information to appropriate agencies or others.

### *Preparing for post-16 transition*

1. Local authority identifies your child as having additional support needs and as requiring support to make the transition to post-16 provision.
2. No later than 12 months before your child is due to leave school, the local authority must seek and take account of information and advice from appropriate agencies or others (e.g. health services, social work services, voluntary agencies, Skills Development Scotland and training providers).
3. No later than six months before your child is due to leave school, the local authority must provide information to appropriate agencies or others.

Whatever additional support needs your child has, they are still entitled to opportunities in further or higher education, training or work. Their school, college, social worker (if involved) and any other agency will work with you and your child to decide which would be the most appropriate.

## Internet and/or Online Safety

Ark Burlington Danes Academy recognises that internet use is a necessary tool for learning and that pupils use the internet widely outside school and need to learn how to evaluate internet information and to take care of their own safety and security. As a result, the academy has a duty to provide students with quality internet access as part of their learning experience.

The purpose of internet use in the academy is to raise educational standards, to promote pupil achievement, to support the professional work of staff and to enhance the school's management functions.

When using the internet at Ark Burlington Danes Academy, pupils will be taught what usage is appropriate and what is not and pupils will be given clear objectives for internet use.

The extent to which pupils are able to direct their own learning online in school will reflect the age, ability and curriculum requirements. On an individual basis it will also reflect pupils' proven ability to use the internet and associated equipment responsibly.

The academy recognises the value of email communication between staff and pupils and parents. However, staff are only permitted to use their official, school-provided email account for such communications.

Ark Burlington Danes Academy takes its responsibility for preventing pupils from accessing inappropriate content online very seriously and the academy's internet service includes filtering appropriate to the age and maturity of pupils. If staff or pupils discover unsuitable sites, the URL will be reported to the Designated lead for Online Safety, the Designated Safeguarding Lead or the Finance and Resources Director – one of whom will investigate and take necessary action in collaboration with IT Support Staff.

In addition to the age-related filtering provided by the academy's internet service, a walled garden or "allow list" restricts access to a list of approved sites (such lists inevitably limit pupils' access to a narrow range of content) and dynamic content filtering examines web page content or email for unsuitable words.

Ark Burlington Danes Academy will control access to social media and social networking sites – preventing access to them on electronic equipment provided to pupils by the school and on the academy network.

Regardless of when and where they are using social networks or social media, Ark Burlington Danes Academy will teach pupils to ensure their safety online by never giving out personal details online which may identify them or their location to strangers.

Where academy staff have concerns about a pupil's use of social media or the internet, this will either be discussed with their family or the designated senior person for child protection or both.

As part of new staff induction and through the staff code of conduct, staff are told that it is necessary to ensure privacy and security settings on their own social networking profiles are in place to prevent contact with pupils and families.

Academy staff are also informed as part of new staff induction and through the staff code of conduct that they must not post material which damages the reputation of the school or which causes concern about their suitability to work with children and young people.

Cyberbullying is bullying which uses electronic devices and online platforms such as messaging services, chat rooms and websites to commit deliberately hurtful behaviours which can be defined as bullying in reference to the definition provided in the anti-bullying section of this policy and it will be dealt with as such.

## Staff code of conduct

Ark Burlington Danes Academy aims to reflect the principles that Britain is a multi-ethnic Christian society operating in a wider context of an interdependent world.

The Staff Code of Conduct Policy at Ark BDA aims to:

- enable all staff to know and understand what is deemed acceptable.
- help staff to work with students, parents and other staff to create an environment free from physical, verbal or non-verbal abuse.
- ensure that all students and staff have the opportunity to achieve their potential.
- ensure that every student and member of staff is helped to develop a sense of personal and cultural identity that is confident and open to change, and that is receptive and respectful towards other identities.

### *Practice and Guidance*

The Staff Code of Conduct Policy at Ark BDA is based on the principle that staff who work at Ark Burlington Danes Academy will form role models for the students with whom they come into contact. As such this policy forms part of a whole-academy approach to good behaviour and discipline which aims to promote the good behaviour necessary for effective learning to take place.

### *Relationships with students*

Staff have a duty to safeguard students from:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

This duty to safeguard students includes the duty to report concerns about students to the designated safeguarding officer and is set out in the Safeguarding and Child Protection Policy that every member of staff MUST read at the start of each academic year.

### *Student Wellbeing*

Staff have a responsibility to develop the emotional wellbeing of students as well as nurturing their academic potential – in particular this relates to:

- Treating all students with respect at all times is vital in this process and therefore the use, by staff, of derogatory or abusive statements or subjecting a student to ridicule is not acceptable within Ark BDA.
- Staff are expected to set an example to students and therefore the use of appropriate language is important at all times, this does not include swearing or the use of vulgarities at any time.
- Staff should not shout at students or create confrontational situations.
- Staff are expected to work with all students irrespective of their demeanour or ability. It is important that every opportunity is treated as a new beginning and staff should always try to emphasise the positive.
- Although dealing with young people can at times be extremely challenging it is always important that staff members remember that they are the adult and the professional and therefore all interactions with students and parents should be held within this paradigm. Students are not 'the finished article'.
- Staff should be addressed by students by their surnames throughout the academy. This applies to all staff working at the academy regardless of job role.
- Student safety is paramount at all times.
- Personal mobile phone numbers or equivalent ought not be given out to students.

### *Staff Dress Code*

All students are expected to dress to a high standard at all times and the same is expected of staff. Please use your common sense: the dress code cannot define PRECISELY what we expect staff to wear:

- Work wear for staff should be that which would be acceptable within a professional office environment. It is therefore expected that male staff will wear a jacket, trousers and tie.
- Female members of staff will conform to expected norms of dress in a professional office environment. This includes a formal jacket and all skirts and dresses should be worn at an appropriate length. Bare shoulders/backless dresses are not acceptable. Jeans and t-shirts are not acceptable as work wear.
- Footwear should be appropriate to a busy environment – trainers are not acceptable for every day wear apart from those delivering Physical Education, Dance and Drama. Flip-flops, backless/strapless sandals are not acceptable.
- Body piercing is discouraged, apart from a single earring in each ear, and staff are expected to conform to this convention while at ARK BDA or on academy business. Extreme hairstyles are unprofessional.
- Any tattoos should be hidden from view while staff are working at BDA.

### *Equipment*

- **Computers** – Staff will be issued with a laptop and passwords to access the Fronter and World Wide Web. Staff are responsible for the use of the laptop while in their possession and should therefore be careful about who has access to their password and personal machine.
- **Mobile Phones** – Staff should not use their mobile phones during lessons and should not make or receive calls at any time that they supervising students, unless in an emergency situation. Content stored on phones brought into the academy must be appropriate and it is strongly recommended password protected.
- **Other equipment** – Any items belonging to the academy must remain available to be used by staff and students as necessary. Staff will be responsible for the safe keeping of equipment loaned to them by the academy.
- **Permission** of the Principal should be requested if equipment is to be taken home or if a member of staff needs to use a mobile phone within school.

### *Time Keeping and Attendance*

With respect to attendance please see the attendance policy.

Punctuality is the key to running a successful educational establishment and students and staff are expected to attend all lessons on time and to remain on-site throughout the day. Staff should be ready to receive students at the scheduled start time for sessions as well as making sure students are not dismissed before the appropriate end of session time. All staff MUST be onsite by 0810 and in briefing at 0815.

### *Honesty and Integrity*

Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school property and facilities.

### *Conduct Outside Work*

Staff must not engage in conduct outside work which could damage the reputation and standing of the academy or the employee's own reputation or the reputation of other members of the academy community. This includes inappropriate on-line social networking.

- Staff should be careful to ensure that nothing they say or do brings the academy's name into disrepute. Gossip in our communities can damage a reputation that has taken a considerable amount of time to establish.
- Criminal offences that involve violence, possession or misuse of drugs or sexual misconduct are likely to be regarded as unacceptable and constitute gross misconduct. This is detailed in Ark's Disciplinary Policy.

### *Confidentiality*

Where staff have access to confidential information about students or their parents or carers, staff must not reveal such information except to those colleagues who have a professional role in relation to the student.

All staff are likely at some point to witness actions which need to be confidential. For example, where a student is bullied by another student (or member of staff), this needs to be reported and dealt with in accordance with the appropriate procedures. Such matters must not be discussed outside the academy, including with the student's parent or carer, nor with colleagues from the academy.

Staff have an obligation to share with their line manager or the academy's Designated Safeguarding Officer any information which gives rise to concern about the safety and welfare of a student (See Safeguarding policy). Staff must be careful never to promise to a student that they will not act on information.

### *Smoking/Alcohol*

Alcohol may not be consumed during the working hours. Staff are not permitted to smoke on the school premises or grounds. Staff must be conscious of the academy's drug policy when discussing such issues, particularly the use of illegal substances, with students. It is expected that staff will attend for work in a fit state to carry out their duties – staff found under the influence of drugs or alcohol will be deemed to be unfit and disciplinary action may follow.

### *Use of Cars*

Staff registration numbers are held on the database and it is important that staff inform administration if their number changes.

For their own protection, staff should never give lifts to students without clearing it with a senior member of staff. Staff must, in addition, check that their insurance covers them taking a student in their car.

### *Relationships with other staff*

All staff are entitled to feel safe and secure at work and be free from intimidation or bullying behaviour. Staff are therefore expected to show professional courtesy and respect at all times to others working within the academy.

Should a member of staff feel that the above guideline has not been followed they should raise the matter with their line manager or in the case where this involves the line manager with the member of staff senior to them.

### *Parental Contact*

The academy has an expectation that staff will act swiftly and professionally at all times. This is particularly important where parents have contacted the academy with a concern or complaint relating to the education of their child. The aim at the academy is to make a return call on the same day as the original contact was made, even if in the first instance this is just a holding call.

Where an error has been made we should look to apologise and correct the mistake as soon as possible.

Investigations should be carried out promptly and effectively with parents informed of the outcome as soon as is practical.

Where an ongoing investigation may take some time, due to a student or member of staff being absent for example, parents should be informed and given a date by which the investigation will be completed.

### *Social Networking and e-safety*

For the benefit of new staff, and older staff who need reminding, we recommend that you use Facebook and other such sites with great care. New technology is blurring the distinction between what is "in school" and "out of school."

Personal mobile phone numbers or equivalent must not be given out to students.

Staff must not engage in conduct outside work which could damage the reputation and standing of the academy or the employee's own reputation or the reputation of other members of the academy community. This includes inappropriate online social networking.



The **Teacher Standards** state:

*Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:*

- *treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position*
- *having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions*
- *showing tolerance of and respect for the rights of others*
- *not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs*
- *ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.*

More specifically this means all BDA staff should be mindful of the information they disclose on social networking sites. Through the open nature of such sites, it is possible for third parties to collate vast amounts of information. Take the time to look over the privacy settings and set them as high as possible.

Do not under any circumstances accept friend requests from a person you believe to be either a parent or a student at Ark BDA. The GTC has recommended that students ought to have left school for 5 years past Year 13 before it is acceptable to make them "friends".

Your 'off time' is your own. Union guidance urges teachers to keep their personal lives personal because they think it promotes better wellbeing for teachers. Furthermore, keeping an appropriate level of personal separation between you and your students makes professional sense as well.

Where staff associate themselves with Ark BDA they should act in a manner which does not bring the academy into disrepute.

If staff use a personal blog to discuss their work – which is not recommended - they must ensure that confidential information is not revealed. This might include aspects of BDA policy or details of internal Ark BDA discussions. If in doubt about what might be confidential, staff members should consult their line manager. If a blog makes it clear that the author works for Ark Burlington Danes, it should include a simple and visible disclaimer such as "these are my personal views and not those of Ark Burlington Danes Academy".

For your own protection we advise that you:

1. Ensure all electronic communication with students, parents, carers, staff and others is compatible with your professional role and in line with school policies. Ensure that any contact with students is kept strictly within an educational context.
2. Do not talk about your professional role in any capacity when using social media such as Facebook and YouTube. Mind your language.
3. Do not put online any text, image, sound or video that could upset or offend any member of the whole school community or be incompatible with your professional role.
4. Use school ICT systems and resources for all school business.
5. Do not give out your own personal details, such as mobile phone number, personal e-mail address or social network details to pupils, parents, carers and others.
6. Do not disclose any passwords and ensure that personal data (such as data held on CMIS software) is kept secure and used appropriately.
7. Only take images of pupils and/ or staff for professional purposes, in accordance with school policy and with the knowledge of SLT.
8. Do not browse, download, upload or distribute any material that could be considered offensive, illegal or discriminatory.
9. Ensure that your online activity, **both in school and outside school**, will not bring your organisation or professional role into disrepute.
10. You have a duty to report any eSafety incident which may impact on you, your professionalism or your organisation.

### *Detailed Guidance on Privacy Settings:*

#### **Privacy Setting**

	<b>Recommended security level</b>
Send you messages	Friends only
See your friend list	Friends only
See your education and work	Friends only
See your current city and hometown	Friends only
See your likes, activities and other connections	Friends only
Your status, photos, and posts	Friends only
Bio and favourite quotations	Friends only
Family and relationships	Friends only
Photos and videos you're tagged in	Friends only
Religious and political views	Friends only
Birthday	Friends only
Permission to comment on your posts	Friends only
Places you check in to	Friends only
Contact information	Friends only

Employers may scour websites looking for information before a job interview. Take care to remove any content you would not want them to see.

### *Conduct on social networking sites*

- Do not make disparaging remarks about your employer/colleagues. Doing this in the presence of others may be deemed as bullying and/or harassment.
- Act in accordance with Ark BDA's Staff Code of Conduct and IT policy and any specific guidance on the use of social networking sites.
- Other users could post a photo on their profile in which you are named, so think about any photos you appear in. On Facebook, you can 'untag' yourself from a photo. If you do find inappropriate references to you and/or images of you posted by a 'friend' online you should contact them and the site to have the material removed. You potentially could face disciplinary action as a result of being tagged.
- Parents and students may access your profile and could, if they find the information and/or images it contains offensive, complain to your employer. You potentially could face disciplinary action.
- Do not publish your date of birth and home address on Facebook. Identity theft is a crime on the rise with criminals using such information to access to your bank or credit card account.
- Stop the network provider from passing on your details to other companies for research and advertising purposes. For example, to stop Facebook from forwarding your details, click "Privacy Settings". Under "Applications and websites" click "edit your settings". Scroll down to "instant personalisation" and make sure the checkbox for "enable instant personalisation on partner websites" is unchecked.
- Ensure that any comments and/or images could not be deemed defamatory or in breach of copyright legislation. Never place student photos on your site.

### *Disciplinary Action*

All staff need to recognise that failure to meet appropriate standards of behaviour and conduct may result in disciplinary action, including dismissal, in accordance with Ark policy.

**This academy is committed to safeguarding and promoting the welfare of all children and expects all staff and volunteers to share this commitment.**

# Behaviour & Attitudes

## Behaviour

Please see the Ark Burlington Danes Academy Behaviour Policy:

<http://burlingtondanes.org/policies/behaviour-policy>

## Anti-Bullying and Harassment

Ark Burlington Danes Academy defines bullying as deliberately harmful behaviours, which repeatedly, over time, target a specific person(s) for whom it is difficult to defend themselves. There are many such harmful behaviours, however the three main types are:

- Physical (e.g. hitting, kicking, theft),
- Verbal (e.g. racist, sexist or homophobic remarks, threats, name-calling), and
- Emotional (e.g. isolating an individual from the activities and social acceptance of their peer group).

Ark Burlington Danes Academy aims to create a positive learning environment which promotes the development of children in the fullest sense and their learning and success in school. Ark Burlington Danes Academy believes bullying is anti-social, it affects everyone in the community and therefore, it will not be tolerated. Pupils who have been bullied, or who have witnessed bullying, may demonstrate any of (but not limited to) the following: changed behaviours (including possibly becoming nervous or shy), absenteeism or truancy, feigned illnesses, self-harm.

All Academy Staff must be alert to the symptoms and signs of bullying and report them, in accordance with school procedures, to a middle or senior leader with responsibility for pastoral care.

Ark Burlington Danes Academy aims to establish a culture of trust with pupils, parents and staff. All are encouraged to share concerns about any aspects of school-life with senior teachers.

When an incidence of bullying is found to have occurred, the academy will take the following steps to support the victim(s):

- Providing the opportunity to be referred for in-school counselling
- Providing the opportunity to speak with a member of staff of their choosing
- Informing key staff to ensure supervision, monitoring and support across the school
- Providing the opportunity for a structured reconciliation meeting led by senior staff
- Providing the opportunity for parents to discuss the matter and its implications with senior teachers

When an incidence of bullying is found to have occurred, the academy will take the following steps to address the perpetrator(s):

Implement a serious consequence which involves an aspect of isolating them from their victim(s). This may or may not include fixed-term exclusion, internal exclusion or detentions. A parent meeting will be arranged which directs parents to ensure parents take action to address and improve the behaviour of their child

Ark Burlington Danes Academy continually strives to ensure pupils, staff and parents are aware of all issues relating to safeguarding, including bullying, and does this through its PSHE Curriculum, new-staff induction, new-pupil induction, assemblies, home-visits, the work of the in-school counselling service, display work and other events.

Please see the Ark Burlington Danes Academy Anti-Bullying Policy for further information:

<http://burlingtondanes.org/policies/bullying-policy>

## Anti-Discrimination

Ark Burlington Danes Academy has due regard for the need to eliminate discrimination, harassment and victimisation, and to promote equal treatment for all.

Ark and each of its academies will:

- Welcome and provide for all its students and employees
- Help all students and employees to achieve their full potential
- Ensure that no student, employee or applicant receives less favourable treatment on grounds of sex (including marital status or gender reassignment), sexual orientation, age, disability, race (including nationality, ethnic or national origins or colour), religion or belief (except where an academy's status as a church school permits any limitation, or where any other statutory exception applies)
- Ensure that all statutory obligations are met.

This section should be read in conjunction with the Ark Academies Human Resources policies on 'Equal Opportunities' and 'Dignity at Work'.

## Managing harmful behaviour of children who are vulnerable and/or have committed offences that may present a risk to others in a school setting

Children who abuse others, including those who sexually abuse/offend or who are violent towards their parents/carers, are likely to have considerable needs themselves. They may also pose a risk of significant harm to other children. Evidence suggests that children, including those under the age of 10, who abuse others may have suffered considerable disruption in their lives, been exposed to violence within the family, may have witnessed or been subject to physical or sexual abuse, have problems in their educational development, and may have committed other offences.

Such children themselves are likely to be **Children in Need**, and some will also be suffering or likely to suffer significant harm, and may be in need of protection.

### *Principles*

The following key principles should guide work with children and young people who abuse others:

- There should be a co-ordinated approach on the part of the key agencies involved, for example Youth Offending Service, Early Help teams, Children's Social Care, Police, education (including educational psychology), health (including child and adolescent mental health) agencies and the voluntary sector;
- The needs of children who abuse others should be considered separately from the needs of their victims; and
- An assessment should be carried out in each case, appreciating that these children may have considerable unmet developmental needs, that they could be the victim of abuse themselves or exposed to on-going trauma, as well as having specific needs arising from their behaviour;
- Early and effective intervention with children and young people who harm others, including sexual harm, plays an important part in protecting children, by preventing the continuation or escalation of abusive behaviour;
- Young people who harm others, including sexual harm have a right to be consulted and involved in all matters and decisions that affect their lives. Their parents have a right to information, respect and participation in matters that affect their family.

### *Responding to Concerns*

Peer on peer abuse may be a one-off serious incident or an accumulation of incidents. Some behaviour(s) may be easily identified as abusive however, in some circumstances, it may be less clear. In all cases practitioners should take the concerns seriously and reassure the child concerned they will be supported.

Education providers should also refer to [Sexual Violence and Sexual Harassment between Children in Schools and Colleges \(DfE\)](#) and [Sexting in Schools and Colleges: Responding to Incidents and Safeguarding Young People](#).

Where practitioners identify concerns about a child whose behaviour is inappropriate and may be abusive, they should consider the following, if known:

- The nature, extent and context of the behaviour, including verbal, physical, 'sexting'/youth produced sexual images and/or online abuse. Is there evidence of coercion, physical aggression, bullying, bribery or attempts to ensure secrecy? What was the duration and frequency? Is the incident a one off or a sustained pattern of abuse? Were other children and /or adults involved? Has a crime been committed?
- What is the child's age, developmental stage, capacity to understand and make decisions (and anything that might have had an impact on this i.e. coercion) and family and social circumstances;
- What are the relative chronological and developmental age of the children involved? (the greater the difference the more likely the behaviour should be defined as abusive);
- Does the victim or perpetrator have a disability or learning difficulty/disability? Are there any differentials in power or authority for example related to race or physical or other vulnerability of the victim?
- What is the actual behaviour? (both physical, verbal online and offline factors, must be considered);
- Could the behaviour be described as age appropriate or not? Does it involve inappropriate sexual knowledge or motivation?
- What is the victim's experience and perception of the behaviour and what are their wishes?
- Are there any risks to the child victim or alleged perpetrator and others, including other children in the household, extended family, school/college, peer group, wider social network or to adults?

See [Brook Traffic Light Tool](#) for further information on identifying which sexual behaviours are potentially harmful and those which are part of healthy, age appropriate sexual development.

Practitioners should consult their safeguarding / child protection lead and consideration should be made to the level of needs, complexity and seriousness of the child's behaviour and the most appropriate response to these. Where there are emerging needs an Early Help referral should be considered.

If needs are believed to be complex/ serious or where there are child protection concerns, a referral must be made to Children's Social Care.

### *Sexual Abuse*

A significant proportion (about 33%) of all sexual offences (including both contact and online offences) are committed by older children and, on occasion, such offences are also committed by younger children. It is important to identify the difference between consenting and abusive, appropriate or exploitative peer relationships. Staff should not dismiss abusive sexual behaviour as 'normal' between children and should not develop high thresholds before taking action.

**Consent:** Under the [Sexual Offences Act 2003](#) a child under the age of 13 years cannot consent to any form of sexual activity. Therefore, a child protection referral is required in all such cases.

Any suspicion or allegations that a child has been sexually abused or is likely to sexually abuse another child (or an adult) should be referred immediately to the DSL, who will go on to inform Children's Social Care or the Police.

See further guidance here:

[Preventing and Tackling Bullying](#) - DfE advice

[Cyber bullying: advice for headteachers and school staff](#) - DfE advice

[Sexual violence and sexual harassment between children in schools and colleges](#) - DfE advice

## **Use of Reasonable force/Physical Intervention /Positive Handling**

*What is reasonable force?*

Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

### *Definitions:*

‘Reasonable in the circumstances’ means using no more force than is needed.

Control means either passive physical contact, such as standing between students or blocking a student’s path, or active physical contact such as leading a student by the arm out of a classroom.

Restraint means to hold back physically or to bring a student under control.

School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

### *Who can use reasonable force?*

This power applies to any member of staff at the school. It can also apply to people whom the Principal has temporarily put in charge of students such as unpaid volunteers or temporary staff.

### *When can reasonable force be used?*

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and will depend on the individual circumstances.

This power can be used on SEN and disabled students and on school trips if necessary.

Schools can use reasonable force to:

- . Remove a disruptive student from the classroom if they have refused to follow an instruction to do so;
- . Prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- . Prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- . Prevent a student from attacking a member of staff or another student, or to stop a fight; restrain a student at risk of harming themselves through physical outbursts.

Schools cannot use force as a punishment – it is always unlawful to use force as a punishment.

### *Power to search students without consent*

In addition, the Principal and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following prohibited items:

- . knives and weapons
- . alcohol
- . illegal drugs

Before using Physical Intervention, Ark Burlington Danes Academy staff will ensure the following:

- The pupil has received repeated verbal instructions to do what is required of them
- The pupil has been told that physical intervention is imminent
- (Where possible), a second adult is present
- A judgement has been made by the staff member(s) that physical intervention would be successful

During the use of Physical Intervention, Ark Burlington Danes Academy staff will ensure the following:

- Only the minimum force is used for the minimum amount of time necessary

- The use of physical intervention will be ended as soon as safety and order has been re-established
- The member(s) of staff present will continue to talk to the pupil: explaining calmly why physical intervention is being used and re-iterating what needs to happen for the use of physical intervention to be ended

Physical Intervention will never be used as a form of punishment. Ark Burlington Danes Academy aims to build and maintain a safe and respectful community; any instances of physical intervention being used would be undertaken with extreme caution and evaluated rigorously. All witnesses, including pupils, would be spoken to ensure that they were supported in understanding the role of physical intervention in promoting the safety and wellbeing of all members of the Ark Burlington Danes Academy community.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/268771/use\\_of\\_reasonable\\_force\\_-\\_advice\\_for\\_headteachers\\_staff\\_and\\_governing\\_bodies\\_-\\_final\\_july\\_2013\\_001.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/268771/use_of_reasonable_force_-_advice_for_headteachers_staff_and_governing_bodies_-_final_july_2013_001.pdf)

## Images/Photography of students

Occasionally the academy will take photographs of the children at our school. The academy may use these images to support or assess learning activities, or in our school's prospectus or in other printed publications that we produce, as well as on our website or on project display boards at our school that reasonably promote the work of the school and Ark.

The academy may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use or promotional use.

The designated senior person will ensure that images are stored securely, kept on file for a time period which is adequate, relevant and not excessive and will ensure all images are permanently deleted once deemed no longer of use.

Where images are taken use images that are appropriate and are considered to not be open to misuse. If an image of a child is used, the child's name will not be published. If a name is published, no image will be used without specific consent.

Where images are used for the school website or other online publications, the academy recognises that websites are part of the internet and are more easily accessible than paperbased school publications. The academy will make sure that only appropriate images are used and that image filenames will avoid using children's names.

From time to time, the academy may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Pupils will often appear in these images, which may appear in local or national newspapers, on televised news programmes or online.

Filming or photographing of school events by parents is discouraged. The academy will photograph (and sometimes will record) all events and make images available to pupils and parents. Staff will monitor and review any photographing pupils do during on-school or off-site activities.

Camera phones are less visible and can be used to bully or take inappropriate images. This is one of the reasons why pupils are not allowed to use mobile phones on the academy premises.

Where pupils are found to have used their phone on the academy premises their phone will be immediately confiscated. If it is believed that pupils have used their phone in order to make inappropriate recordings, the confiscated phone will not be returned until senior teachers are confident such recordings have been removed and deleted. Where relevant, the Anti-bullying procedures outlined above in Section One of this appendix will be implemented.

The academy uses CCTV in some areas of the school property to ensure the safety and security of pupils, staff, parents and the safety and security of academy buildings and equipment.

CCTV footage is only reviewed by senior teachers and members of the site-staff to review matters of safety and security including, but not limited to: pupils and adults entering and exiting the building, incidents of theft, violence or vandalism and incidents of trespassing.

Through the PSCHE curriculum and through individual pupil specific interventions, Ark Burlington Danes Academy educates pupils about the importance of understanding both the potential positive and negative implications of different types of images of them themselves. Also, to educate pupils about the importance of controlling the availability of images of themselves and other young people.

Please refer to our Using Technology Safely Policy (available on request).

## Managing allegations against other pupils

DfE guidance *Keeping children safe in education (2019)* says that *‘there are procedures in place to handle allegations against other children’*. The guidance also states the importance of minimising the risks of peer-on-peer abuse. In most instances, the conduct of students towards each other will be covered by the school’s behaviour policy. Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is also likely that incidents dealt with under this policy will involve older students and their behaviour towards younger students or those who are vulnerable.

### *The safeguarding implications of sexual activity between young people*

The intervention of child protection agencies in situations involving sexual activity between children can require difficult professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. But it will not necessarily be appropriate to initiate safeguarding procedures where sexual activity involving children and young people below the age of legal consent (16 years) comes to notice. In our society, generally the age at which children become sexually active has steadily dropped. It is important to distinguish between consensual sexual activity between children of a similar age (where at least one is below the age of consent), and sexual activity involving a power imbalance, or some form of coercion or exploitation. It may also be difficult to be sure that what has or has been alleged to have taken place definitely does have a sexual component.

As usual, important decisions should be made on a case by case basis, on the basis of an assessment of the children’s best interests. Referral under safeguarding arrangements may be necessary, guided by an assessment of the extent to which a child is suffering, or is likely to suffer, significant harm. Key specific considerations will include:

- . The age, maturity and understanding of the children;
- . Any disability or special needs of the children;
- . Their social and family circumstance;
- . Any evidence in the behaviour or presentation of the children that might suggest they have been harmed;
- . Any evidence of pressure to engage in sexual activity;
- . Any indication of sexual exploitation;
- . There are also contextual factors. Gender, sexuality, race and levels of sexual knowledge can all be used to exert power. A sexual predator may sometimes be a woman or girl and the victim a boy

### *Procedure*

At Ark Burlington Danes Academy we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students. We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school’s behaviour policy.

### *Prevention*



As a school we will minimise the risk of allegations against other pupils by:

- Providing a developmentally appropriate PSHCE syllabus (though our non-examined curriculum, tutor times and assemblies) which develops students understanding of acceptable behaviour and keeping themselves safe
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils.

### *Allegations against other pupils which are safeguarding issues*

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that, to be considered a safeguarding allegation against a pupil, some of the following features will be found.

This is likely to be the case if the allegation:

- Is made against an older pupil and refers to their behaviour towards a younger more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

### *Examples of safeguarding issues against a student could include:*

#### Physical Abuse

- Violence, particularly pre-planned
- Forcing others to use drugs or alcohol

#### Emotional Abuse

- Blackmail or extortion
- Threats and intimidation

#### Sexual Abuse

- Indecent exposure, indecent touching or serious sexual assaults
- Forcing others to watch pornography or take part in sexting

#### Sexual Exploitation

- Encouraging other children to engage in inappropriate sexual behaviour (For example - having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children, staying out overnight)
- Photographing or videoing other children performing indecent acts

### *Practice*

When an allegation is made by a pupil against another student, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the designated safeguarding lead (DSL) should be informed. A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

The DSL should contact their local children's social care team or Ark Head of Safeguarding to discuss the case. The DSL will follow through the outcomes of the discussion and make a referral where appropriate

If the allegation indicates that a potential criminal offence has taken place, a referral to the Local Safeguarding Children Board (LSCB) and the Police should be made. Parents, of both the student being complained about and the alleged victim, should be informed and kept updated on the progress of the referral

The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both pupils' files. It may be appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures.

Where neither social services nor the police accept the complaint, a thorough school investigation should still take place into the matter using the school's usual disciplinary procedures. In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.

The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

## PSHE & Citizenship / Relationship & Sex Education (RSE) / Spiritual, moral, social and cultural (SMSC) education

The non-examined curriculum at Ark Burlington Danes Academy includes PSHCE, Relationships and Sex education, tutor times, assemblies and dropdown days.

Throughout the non-examined curriculum, Ark Burlington Danes Academy promotes pupils' awareness and understanding of how to keep themselves safe and healthy in the world beyond the classroom.

Our PSHCE curriculum (which includes RSE), aims to help our pupils become:

- Successful learners who enjoy learning, make progress and achieve
- Confident individuals who are able to live safe, healthy and fulfilling lives
- Responsible citizens who make a positive contribution to society

In all key stages the courses are developed with safety, tolerance, understanding of differences and empathy for others as our main priority. An outline of the topics taught in discrete PSHCE lessons each week can be found below:

### Primary PSHE curriculum:

	Reception	1	2	3	4	5	6
Aut1	Friendship	What is the same and different about us?	What makes a good friend?	How can we be a good friend?	What strengths, skills and interests do we have?	What makes up our identity?	How can we keep healthy as we grow?
Aut2		Who is special to us?	What is bullying?	What keeps us safe?	How do we treat each other with respect?	What decisions can people make with money?	
Spr1	Saying sorry	What helps us stay healthy?	What jobs do people do?	What are families like?	How can we manage our feelings?	How can we help in an accident or emergency?	How can the media influence people?
Spr2		What can we do with money?	What helps us to stay safe?	What makes a community?	How will we grow and change?	How can friends communicate safely?	
Sum1	Forgiveness	Who helps to keep us safe?	What can help us grow and stay healthy?	Why should we eat well and look after our teeth?	How can our choices make a difference to others and the environment?	How can drugs common to everyday life affect health?	What will change as we become more independent? / How do

<b>Sum2</b>		How can we look after each other and the world?	How do we recognise our feelings?	Why should we keep active and sleep well?	How can we manage risk in different places?	What jobs would we like?	friendships change as we grow?
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*Secondary PSHE Curriculum:*

	7	8	9	10	11	12	13
Aut1	Intro: overview	Prejudice, values and extremism	Relationships: ourselves and others	Health and wellbeing	Health and wellbeing in society	Health and wellbeing in society	Health and wellbeing in society
Aut2	Finance and future plans	Relationships: ourselves and others	Health and Personal Safety	Living responsibly	Mental Health and wellbeing	Mental Health and wellbeing	Mental Health and wellbeing
Spr1	Relationships, identity and safety	Finance and career skills	Education and human rights	Careers: rights, responsibilities and equality	Relationships and sex education	Understanding others' points of view	Understanding others' points of view
Spr2	Relationships, identity and safety	Personal Goals	Careers and enterprise	Our justice system	Modern British Society	Modern British Society	Preparing for student life
Sum1	Healthy living and responsible health choices	Healthy Living	Finance	Relationships and conflict avoidance	Study Skills	Relationships and sex education	Study Skills
Sum2	Puberty, emotional health and wellbeing	Prejudice, discrimination and challenges	Rights and responsibilities in relationships	Relationships and tolerance		Human Rights	

*Relationships and Sex Education*

Further details of the curriculum pertaining to PSHE, Sex and Relationships Education and SMSC can be obtained through the school's website here:

[https://burlingtondanes.org/sites/default/files/SRE%20policy\\_1.pdf](https://burlingtondanes.org/sites/default/files/SRE%20policy_1.pdf)

# Safety

## School site security

At Ark Burlington Danes Academy we take site security very seriously. Fences and electronic gates have been installed and are monitored carefully to ensure security. There is a functioning emergency alarm, which is tested weekly and emergency drills are practised with staff and students regularly. The site team are proactive in addressing areas that have fallen into disrepair and there are regular site walks undertaken by the Principal, Director of Finance and the SLT, including the DSL, to ensure site security.

## Visitor Management

All visitors must report to the main reception, located on Wood Lane. Visitors must sign in using an electronic system that logs their visit and the purpose/member of staff they are visiting. All visitors must wait in reception to be collected and they are escorted around the site at all times. Visitors are never left alone and are escorted off site and signed out by staff. Any visitor who fails to comply with these procedures are asked to leave and SLT are alerted immediately to the arrival of unexpected visitors.

## Outdoor visits for Schools

Please refer to the Ark Code of Practice, which is available on request.

## Summary of school procedure for Coping with a school emergency/Emergency response plan

Ark Burlington Danes Academy aims, in the usually sudden event – or events – which involve significant personal distress or disruption to a degree which potentially overwhelms normal responses and procedures, and which is likely to have emotional and /or organisational consequences, to:

- maintain a safe, calm and protective atmosphere within the academy at all times, safeguarding all members of the academy community in the event of a credible threat to health and safety
- establish procedures for the orderly and safe handling of crises involving students and/or members of staff
- provide re-assurance to parents, students and staff of the practical help that is available from the academy and other agencies, at short notice
- provide absolute clarity of communication
- plan for, practise and expedite a safe, orderly evacuation of the building in cases of emergency.

### *Practice and Guidance*

The Emergency or Contingency Policy at BDA is based on the principles of safety, clarity of decision making and clarity of communication.

Unless there is overwhelming pressure, our basic principles are to avoid closing the academy and endeavour to maintain normal routines and timetables.

### *Scope of the Plan*

In the academy:

- A deliberate act of violence, such as the use of a knife or firearm
- An academy fire or laboratory explosion
- A student or teacher being taken hostage
- A dangerous intruder

- The destruction or serious vandalising of part of the academy

Outside the academy:

- The death of a student or member of staff through natural causes or accidents
- A transport-related accident involving students and/or members of staff
- A more widespread disaster in the community
- Death or injuries on academy journeys or excursions
- Civil disturbances and terrorism
- Severe and dangerous weather conditions

In all events the official contact with the press or media shall be the Principal or Vice Principal. Unless there are good reasons for doing so, the Principal will not permit representatives from the media onto academy premises. The Principal may call upon the Ark Press Officer to liaise with reporters.

N.B. It must be remembered that we have to be careful that nothing we say should increase grief or compromise ourselves in possible legal action.

### *Evacuation/Invacuation*

**Context:** Emergency evacuation procedures refer to incidents such as fire, bomb threat, chemical spill, and civil disorder. They can be enacted on a small area (eg classroom), whole academy or community scale.

**Evacuation** occurs when people leave the immediate area, academy premises or township area. An example of this is a fire, bomb threat or gas cylinder explosion. These procedures are documented in the academy's Health and Safety Policy and fire procedures are summarised in the Staff Handbook. Evacuation is carried out when there is a continuous, unbroken signal.

**Invacuation** or lockdown occurs when circumstances dictate that the safety of people is better ensured inside the buildings, behind locked doors.

**Confidential coded message: if staff hear the coded message over the tannoy they are to keep students inside their classroom, ignoring all subsequent pips, until further instruction. The code's purpose is to reduce alarm or panic amongst students and should never be revealed to students at any time.**

In the event of an evacuation staff and students should remain out of sight away from openings, windows and behind furniture or solid walls and await further instruction either over the tannoy or in person by the SLT or emergency services.

An example of this sort of emergency is a chemical spill, weapon crisis or an intruder or disturbance.

**The overriding priority in enacting the emergency evacuation plan is to ensure the safety and wellbeing of students, staff and academy visitors.**

Emergency evacuation procedures are designed as a response to a typical emergency. Unfortunately no emergency situation is typical. Common sense must prevail in carrying out evacuation procedures.

The academy emergency assembly area is: the Courts area.

### *Bomb Alerts*

In the event of a **credible** warning from a recognised authoritative source the building will be evacuated as designated above and guidance will be sought from the emergency services.

### *Intruder on Site*

An intruder is an individual in the school building who has not followed established visitor procedures and may or may not be a safety hazard to the academy.

Any academy personnel who observe an individual in the academy building who appears suspicious or out-of-place should either approach the subject and politely ask for their name and purpose in the building, or should contact reception for SLT assistance.

The person making contact with the suspicious individual must determine if the person poses a safety hazard or just needs to be made aware of academy policy for visitors.

**Legitimate business:** Identify the person and determine their purpose or need for being in the school. Escort the person to reception and have them check-in as a visitor. Ensure that they are aware of academy policy for visitors for future reference.

**Threat posed:** Depending upon the circumstances, and the demeanour of the intruder, eg agitated, irrational or refusing to leave the building in a peaceful manner, a member of SLT will call the police to report the incident. If the police were called and the individual leaves or attempts to leave prior to the police arriving, do not attempt to physically detain or fight with the person. If possible, follow the person at a safe distance to see what direction he or she goes in. SLT may initiate an evacuation procedure.

Re-contact police to inform the responding officers that the individual has left the building and the direction and means of travel (i.e. on foot or in a vehicle).

It is helpful to verify through the police the individual's identity and address so the intruder can be warned not to return to the academy by registered mail.

#### **Confronting an armed person:**

- **Remain calm.** Do not raise your voice to avoid upsetting the person. Your tone and demeanour will strongly influence the outcome of the crisis.
- **Never try to disarm a person with a weapon.**
- **Avoid sudden moves or gestures.**
- Be observant to what the person looks like and is wearing, what he or she is saying, what they are doing, etc. This could be valuable in identifying the person should they leave before police arrive.
- **Don't try to be the hero! If possible, remove yourself and students from the scene, then call 999 and inform SLT.**

#### *Critical Incidents*

In the event of civil disturbance, at the discretion of the academy's Principal, students and staff may be evacuated from the buildings (on other occasions, they may be held in the building). The safety of students and employees will always come first, in deciding the strategy for dealing with such incidents. In the event of an evacuation during academy time, subject teachers will accompany students - with their bags, coats, etc. - to the muster point on the tennis courts. SLT will position themselves as directed to ensure the safety of all students.

If the evacuation is after 3:30 pm, then please apply the following guidelines:

- Member of staff should calmly inform students the club/society has been cancelled.
- All students to contact parents, via academy office or supervised using a mobile phone.
- No students are to be allowed to walk home, unless the supervising member of staff has spoken to the parent and got permission for the student to walk home.
- Member of staff to remain with students until they are all safely collected/on way home (or arrange for another member of staff to remain with students).

#### *Student Being Followed Home*

If a student has any suspicion that a stranger has followed them then they should alert their parents immediately. Parents should contact the police immediately and also the academy. The academy should also contact the police with a description, if possible.

The academy may alert other schools in the area, stating their concerns and any descriptions.

Students have been told of 'Stranger Danger' at school.

### *Students Missing After School*

If the academy has been alerted of a missing child after academy hours, staff should follow these procedures: check the whole academy building including the grounds with a colleague if possible and safe to do so; ask all staff; Principal and SLT; instruct parents to inform the police if the incident becomes prolonged or is unusual; ensure the academy is informed of the child's return.

### *Emergency Procedures for Off-Site Activities*

See the relevant Policy Document before embarking on any academy trip.

In sum, relevant points to this document are: a mobile phone is essential, plus a list of contact numbers held by more than one supervising member of staff. In the case of an emergency, the Emergency Services should be informed immediately. The academy should be alerted and kept up to date with developments and will provide guidance on subsequent procedures. Other students should be kept calm and away from the incident, if possible, to reduce trauma.

### *Hostage Situation*

In the unlikely event of a hostage situation, all responsible adults must remove their students from the danger area quickly and quietly. Go to a sheltered, safe place, if possible, and ring 999 if you can. Ensure that a member of the SLT is informed. Try to keep everyone quiet and calm to reduce trauma.

Site plans are copied and are in Reception. Student details are held on the IT network and on file in Year Offices.

### *BDA Policy for Emergency Closure*

The Principal will take the decision to close the academy, taking guidance from LBHF, Ark, the Metropolitan Police, other emergency services and/or other relevant agencies.

Communication is key:

- To colleagues in the building: on the radios and using the tannoy. Lead: BHA
- To colleagues not in the building: via text messaging and phone calls.
- Staff may be e-mailed to their Burlington Danes account: it is recommended that all colleagues are aware of how to 'remotely' access their 'Outlook' inbox from their home pc.

To Parents:

- Text messaging / email.
- Website on [www.burlingtondanes.org](http://www.burlingtondanes.org) :
- Academy reception telephone answer machine.
- Telephoning Parents: SLT

### *Traumatic Events and Follow-Up*

Students will be reunited with their families as soon as possible. They will only be released once a parent or guardian has given permission.

Where it is deemed necessary, and there is sufficient time, the Principal will call a briefing meeting of the Senior Leadership Team (and the Chairman of the Board of Governors) to decide on strategy. They will assist in deciding, for example:

- if the academy should continue as normal
- if and how the academy should be represented at funerals/hospital(s) etc.
- if external support agencies should be invited into the academy to deal with possible cases of Post Traumatic Stress Disorder in staff or students



- what other support may be necessary for the academy, the staff or the students
- what can be done to help the academy as a community to come to terms with the relevant events, etc

SLT and HoYs will monitor the return to academy of students involved in traumatic events. The SLT will also be aware of the needs of the staff that may have been involved.

## Managing Violence Code of Practice

Ark recognises its responsibilities under section 2(1) of the Health and Safety at Work Act 1974 to ensure, as far as reasonably practicable, the health, safety and welfare at work of all employees and this duty includes protecting its employees from assaults, threats and verbal abuse.

With this in mind Ark is committed to protecting the personal safety and security of its employees and recognises the need to have clear guidelines aimed at protecting staff, whilst carrying out their duties, from risk of violence from pupils, parents and members of the public.

We know that 'violence' can take many forms, including verbal abuse and threats, rude gestures and innuendoes, sexual or racial harassment, as well as actual physical violence.

Ark wish to provide, as far as is reasonably practicable, a safe working environment which stems not only from its responsibilities as a good employer under health and safety legislation, but also the recognition of the adverse effect that violence at work has on employees.

Within the framework of all staff treating pupils, parents and the public in a respectful and sensitive manner, Ark is committed to the introduction and maintenance of measures to combat violence to staff.

Ark's Managing Violence Code of Practice sets out duties and responsibilities of Principals, governors and employees and is intended to enable Principals and governing bodies to work together with staff, towards preventing and managing violence in their schools through minimising the risk of violence and improving the security of the working environment. The code also introduces a recognised system of supporting and assisting staff in the reporting, recording and investigation of incidents, access to counselling and the provision of legal information, where appropriate. The Appendices provide detailed information and guidance in support of the Code (available on request).

## Alternative Provision Risk Assessments

At Ark Burlington Danes Academy we are responsible for the safeguarding of our pupils when they are placed in an alternative provision.

There are different situations in which pupils are placed in an alternative provision, schools can use such provision to try to prevent exclusions, or to re-engage pupils in their education, or to improve behaviour.

At Ark Burlington Danes Academy when it is decided to place a pupil at an AP we will ensure:

- non-registered provisions **should not** be used
- carefully considering the provision for vulnerable pupils or pupils where there are any safeguarding concerns at home, pupils with an EHCP or LAC.
- to carry out a risk assessment on the alternative provisions.
- use of the provision should be time-limited (i.e. review regularly, clear timescales)
- to obtain written confirmation from the AP provider that they have completed all the vetting and barring checks that are necessary on their staff.
- To appoint designated teacher at school to track pupil progress and to make sure the pupil is attending daily, completing work and accessing tutors when necessary.

Under the Education Inspection Framework Sept 2019, school is aware that in their pre-inspection phone call, Ofsted will ask how many alternative providers does the school use, and how many children are placed there. Inspectors may visit AP's and assess their safeguarding procedures, the quality of education and how effectively the provision helps to improve pupil's behaviour, learning, attendance and safeguarding.

At Ark Burlington Danes Academy, it is important to us that our students' safety and wellbeing is secured even when they are being educated offsite. In order to ensure that any provision we may seek to procure is appropriate, we use the Ark Alternative Provision Risk Assessment (available on request).

## Managed Move Protocol

At Ark Burlington Danes Academy we are responsible for the safeguarding of our pupils when arranging a managed move.

A managed move is a voluntary agreement between schools, parents/carers and a pupil, for that pupil to change school or educational programme under controlled circumstances. A managed move is different to the power of a school to direct a pupil off-site for the improvement of their behaviour.

Managed moves can be suggested by the school or requested by the parents when they think it may benefit a student to change school placements. It is important to note that managed moves are voluntary agreements, and schools are not always able to secure placements at other secondary schools on request, as this depends on whether other schools are willing to take additional students on their school roll.

When arranging a managed move, Ark Burlington Danes Academy will work with the partner school and parent to go through reasons for the move, expectations, and stipulations for the move to be successful. Students, parents and both partner schools will usually be asked to sign a managed move contract to make clear the agreement that has been made.

Managed move trials usually run for a 12-week period, with a mid-term and end of term review to judge whether the placement has been successful. During this period, students maintain their place on their main school roll, with dual-roll membership at their partner school. Students who are successful during their trial period may then be taken on roll fully by their managed move school. Schools reserve the right to terminate the trial period at any point during the 12 weeks if the student has broken the stipulations of their managed move contract.

During a managed move, safeguarding of students is maintained through our attendance procedures. Our attendance officer will contact the partner school daily to ensure that the student has attended school as normal, and the pastoral leaders who arranged the managed move from both schools will work together closely to ensure that any important safeguarding information is shared in a timely manner to support the safety of the child at all times.

## HR & Governance

### Safer recruitment

The purpose of this section is to provide a brief summary of the checks and information needed for the Single Central Register. The Department for Education advises that the following checks must be made on all people before working in an education service. For further guidance please see <http://www.ofsted.gov.uk/schools/for-schools/safeguarding-children>

All Ark Schools employees must have received the following checks prior to starting employment with Ark Schools:

- enhanced DBS disclosures;
- List 99 check (for staff in working regulated activity only);

- right to work documents;
- identity;
- overseas criminal record checks (if applicable),
- medical checks,
- qualifications; including QTS status and prohibition orders check for teachers,
- two references, one being most recent line manager.

While the central HR department may provide support with the online DBS disclosure application process, and the recruitment team may assist with completing reference checks, schools are responsible for ensuring that all pre-employment checks as outlined in this document are completed as required.

Information about any non-employees (supply staff, contractors, volunteers, governors) who are not in Snowdrop needs to be elsewhere. <http://www.ofsted.gov.uk/schools/forschools/safeguarding-children> provides detailed guidance on what checks are required for these people. A summary of checks of these staff should be compiled with the employee Single Central Register before submitting to the Ofsted inspector.

The person responsible for photocopying original documents must see the original document. For documents that need to be retained (ie Right to Work documentation), a photocopy must be taken of the originals at the school, and these photocopies should be signed and dated by person responsible for this at the school. Please refer to the 'Document Retention Guidance Notes' for further information.

If any of the checks completed flag any areas for concern, this should be brought to the principal's attention immediately.

Ark Schools removed the three yearly recheck requirements for existing staff in 2013, with the following guidance:

- All new employees continue to undergo DBS checks before commencing work in all but the most exceptional cases. Employees with a break in service of more than three months will also be rechecked.
- All TUPE'd employees have a DBS check when they join the network
- Three yearly rechecks cease for academy-based staff, but continue for central office staff, volunteers and contractors and any other staff deemed to be high risk
- Requirement that all agency staff are rechecked every three years (this should be done by the recruitment agency)
- Four yearly rechecks for governors (change from five years in 2014)
- Ark Schools reserves the right to repeat any check – including DBS check – if any information is received that suggests a person may no longer be suitable for continued employment
- Staff must report any arrest or caution to management immediately
- Encourage a culture of vigilance in relation to child protection to discourage an over reliance on DBS checks

Please see Appendix D to the Safeguarding Policy for further information.

## Complaints policy

### *Principles*

The academy tries to resolve problems informally wherever possible. An effective response and appropriate redress will be provided to all complaints as quickly as possible dependent upon the complexity of the issues raised.

NB. This policy relates to complaints about the educational administration of an academy and typically applies to complaints made by parents and carers of students. It does not relate to matters

which are governed by employment legislation or those where the principles of civil contract law would normally apply e.g. service/supply contracts entered into with an academy.

### *Legal obligations*

Complainants must be aware that there is a complaints procedure and copies of this policy will be available on request

If the process results in an appeal to the governing body, please see below.

### *Dealing with Complaints*

At each stage, the person investigating the complaint will ensure that they:

- Clarify the nature of the complaint and unresolved issues
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep appropriate notes of any interviews held

At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:

- An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)
- An apology
- An explanation
- An assurance and an explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review academy procedures in light of the complaint

### *Records*

All complaints will be recorded by the academy, including informal complaints. The principal or headteacher is responsible for ensuring that staff record all complaints and their outcome.

- Records relating to individual complaints are confidential, except in limited circumstances to comply with the Data Protection Act or Freedom of Information act, or where the secretary of state or a statutory body (Under section 163 of the Education Act 2002) conducting an inspection requests access to them.
- The LGB will monitor the level and the subject matter of complaints and review the outcomes on a regular basis through the mechanism of performance and data reporting.

### *Complaints procedure*

**Informal complaints:** verbal informal complaints may be made to teachers at the end of the school day or to principals/headteachers by appointment. A verbal or written response may be given to an informal complainant.

**Formal complaints:** The complainant will write to the academy with details of:

- The complaint
- Any attempts they made to raise/resolve the complaint (who they spoke to and when)

- Actions they feel might resolve the problem
- Any staff they would prefer not to discuss the issue with

A staff member (not the subject of the complaint) nominated by the principal/headteacher will acknowledge and investigate the complaint within 7 working days. This time scale may be reasonably extended if the nature of the complaint is judged by the principal/headteacher to be of a complex nature. The investigatory report will be presented to the principal/headteacher for final determination. The complainant will receive a formal response in writing from the principal/headteacher.

If the complainant is still not satisfied, they can appeal to the Local Governing Body (LGB) (see below). A complaint panel will be convened within a reasonable period of time depending on the availability of governors and other members making up the panel. Every effort will be made to deal with complaint appeals expeditiously.

Academies and Ark Schools reserve the right to deny investigation of any complaints which are considered to be vexatious, malicious, and those relating to a previous complaint that has already been investigated.

The officer with responsibility for ensuring that this policy is implemented in Ark academies is the Chief Operating Officer at Ark Schools. Complainants should be aware that principals/headteachers may refer complaints received to the Governance Manager at Ark Schools because they consider the matter is one of such a nature that it should be investigated independently of the academy.

### *Appeals to the LGB*

#### (a) Constitution of the panel

Ark's Governance Manager will convene a complaints panel:

- The panel will consist of at least three people with no prior direct involvement with the issue.
- At least one of the members of the panel must be independent of the management and running of the academy and not a member of the LGB.
- No member of the panel can have been directly involved in previous consideration of the complaint
- Individual complaints must not be heard by the whole governing body at any stage

#### (b) Remit of the panel

The panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.

#### (c) Proceedings of the panel

The procedure for the complaint panel is outlined in the attached Appendix. The Governance Manager, having consulted with the complainant and the Principal/Headteacher, will have the discretion to decide which of the procedures to follow. The appeal will be closed to the public.

#### (d) Role of the Governance Manager

The Governance Manager will be the contact point for the complaint and will be required to:

- Set the date, time and venue of the hearing
- Collate any written material and sent it to the parties in advance of the hearing
- Record the proceedings
- Notify parties of the panel's decision

The decision of the appeal panel is final subject to any subsequent referral to the EFA (see note at end of this policy document).

### *Dealing with persistent complaints*

In the case of vexatious or persistent complaints, the Chief Operating Officer will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

### *Responsible person*

The person in charge of co-ordinating the complaints procedure at the academy is the Principal/Headteacher. Overall responsibility is retained by Ark Schools through the office of the Chief Operating Officer. The role of governors arises only in respect of appeals where the complainant remains dissatisfied with attempts to resolve the issue of complaint and as set out above.

### *Complaints made about a Principal/Headteacher of an academy*

Ark Schools recognise that in exceptional circumstances parents/carers may wish to complain about principals/headteachers.

If the complainant wishes to raise a complaint about the principal/headteacher, they should raise this directly with the principal / headteacher in the first instance. This is the first stage of the process.

Where issues have been raised in this way and remain unresolved, the complainant may appeal and write to Ark Schools at its head office c/o the Governance Manager. On receipt the complaint will be acknowledged and an investigation will be undertaken. The COO will convene a panel of three (including the COO) and the three panel members will not have had any direct involvement in the matters detailed in the complaint. The case and the complainant will receive a formal written response. As matter of courtesy the Chair of the LGB will be advised.

The determination will be made within 15 working days unless the complaint is judged to be of a complex nature.

**Note regarding the Education Funding Agency (EFA):** In limited circumstances it is possible for complaints to be referred to the EFA. The EFA can consider complaints where it is alleged that a) the academy has not complied with its own complaints policy or the policy does not comply with statutory requirements OR b) the academy has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State. Details of how to complain can be found on the Department for Education's website.

### *Procedure*

The Governance Manager, having sought the views of the complainant and the Principal/Headteacher, will decide which of these following procedures is most beneficial to the nature of the complaint.

#### **1) A formal meeting**

All parties will attend the meeting in the same room. The complainant, the Principal/Headteacher and any other staff/witnesses will be invited to make representations concerning the complaint and may be questioned by the panel members so that they can form a clear and unbiased view of the complaint.

Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure at the meeting will allow:

- a. the complainant to explain their complaint
- b. the Principal/Headteacher/other party to explain the school's response
- c. the panel to have an opportunity to question both the complainant and the other party
- d. all involved to call witnesses (subject to the approval of the chair of the panel), and the panel to question all the witnesses
- e. the complainant, the Principal/Headteacher/other party and staff/witnesses to be accompanied at the meeting if they so wish (other than by a legal representative).

The meeting will be minuted, and these minutes circulated to the parties with the Panel's decision. At the end of the meeting, the chair of the panel will explain to the complainant and the Principal/Headteacher/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

## **2) An investigatory approach**

The complainant and representative(s) from the school may be invited to attend a formal meeting with the complaints panel in order to clarify the matter. As the panel meeting is intended to be investigatory, the persons giving evidence or making representations to the panel would normally attend separately. Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure will allow:

- a. the complainant, the Principal/Headteacher/other party and staff/witnesses to be accompanied if they so wish (other than by a legal representative)
- b. notes of the interview to be made, checked with the interviewee and made available to other parties on request.

The chair of the panel will explain to the complainant and the Principal/Headteacher/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

Whichever procedure is followed, the panel will remember that some complainants are unused to dealing with groups of people in formal situations and may feel inhibited. Parents/carers may also feel emotional about discussing an issue that affects their child. The chair of the panel will ensure that the proceedings are as informal as the situation allows.

Please refer to the Ark Burlington Danes Academy Complaints policy for further details:

[https://burlingtondanes.org/sites/default/files/Complaints%20Policy%202019-20\\_15.pdf](https://burlingtondanes.org/sites/default/files/Complaints%20Policy%202019-20_15.pdf)

## **Allegations of abuse made against teachers and other staff, including supply teachers and volunteers. 2020-2021**

This procedure sets out Ark Schools' procedure for managing allegations of abuse made against any member of school staff, supply staff or volunteers. It should be followed wherever an allegation of abuse is made and it should be noted that that a member of staff could be subject to an allegation even if they have not harmed a child or intended to harm a child. It is sufficient that the staff member's conduct could pose a risk to the child.

This procedure applies to teachers, senior leaders, supply teachers, other professionals and staff working in or for an Ark school and volunteers, including governors.

The framework for managing cases of allegations of abuse against teachers and other staff is set out in the statutory guidance 'Keeping Children Safe in Education' (September 2020) (KCSIE). The guidance can be found [here](#).

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/892394/Keeping\\_children\\_safe\\_in\\_education\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892394/Keeping_children_safe_in_education_2020.pdf)

This procedure should be read alongside the statutory guidance KCSIE September 2020 Part 4 and Ark Schools Safeguarding & Child Protection Policy s.18. This guidance should be followed where it is alleged that anyone working in the school or college that provides education for children 18 years of age and under, including supply teachers and volunteers 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; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children or to a particular child;
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

This guidance relates to members of staff, supply staff and volunteers who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place. Allegations against a teacher who is no longer teaching should be referred to the police.

An allegation against a member of staff, supply staff or volunteer may arise from a number of sources e.g.:

- a report from a child victim
- a concern raised by another child/adult in the school/organisation/agency
- a concern raised by a parent or carer.

It is essential that any Safeguarding issue, concern or allegation made against staff, supply staff, volunteers or other professionals in a school is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time support the person who is the subject of the concern or allegation.

An overview of how allegations must be handled is relevant for the purposes of Section 175/157 of the Education Act 2002.

### *Supply Staff*

You may have to consider an allegation when the individual is not directly employed by the academy and the disciplinary procedures do not fully apply. The academy must ensure the allegations are dealt with properly and in no circumstances should a school or college decide to cease the use of a supply staff member due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome.

When using an agency, schools and colleges should inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

### *Defining an allegation*

In the first instance whenever an allegation is made against a member of staff, supply staff or volunteer that meets any of the above criteria, the Principal must be informed immediately. It is the Principal's responsibility to immediately consult the Designated Officer (LADO) and inform the Regional Director and Head of Safeguarding as necessary (Please refer to Appendix A for contact details).

If the allegation is made against a Principal, the person receiving the information must contact the Regional Director and inform the Head of Safeguarding. If the allegation is against an Executive Principal or Regional Director, the person receiving the information must contact the Director of Primary or Secondary Education and inform the Head of Safeguarding.



The People Business Partner should also be informed as soon as possible on any allegations against staff so that they can provide advice.

The Principal must advise the People Business Partner if an allegation:

- could result in, or has resulted in, a strategic case meeting being called by a Designated Officer (LADO);
- relates to a member of staff and, without prejudice to the case, the Principal judges that it may result in disciplinary action being taken.

Where a safeguarding concern or allegation triggers another procedure such as a grievance or disciplinary, the academy should refer to the appropriate policy and contact the Regional People Business Partner who will provide HR advice in these circumstances

If an allegation requires immediate attention, but is received outside of normal office hours, the Principal should consult the Social Care Emergency Duty Team or the Child Abuse Investigation Team (CAIT) via local Police. The Principal should also inform relevant people (see section 9.3) as soon as possible following this action.

Please refer to the following flowchart which sets out a summary of the overall procedure to be followed.

The Principal will consult the Designated Officer (LADO) to discuss the next action points. Advice may also be sought from social care and the police as required. The case manager in the first instance should be the Principal/Head of school and should inform the accused person about the allegation as soon as possible after consulting the designated officer(s), unless advised by LADO not to do so. It is extremely important that the case manager provides the accused with as much information as possible can at that time.

### *Step 2: Conducting a fact-finding exercise*

After a discussion with the Designated Officer (LADO), the Principal should not conduct an investigative process on the matter. S/he should undertake a fact-finding exercise and:

- obtain written details of the concern/allegation
- countersign and date the written details
- record any information about times, dates and location of alleged incident(s) and names of any potential witnesses
- make a record of any discussion about the child and/or member of staff, any decisions made, and the reasons for those decisions onto the safeguarding recording system – Impero EdAware
- if more information is required than the initial disclosure, the principal may obtain any additional information which may be relevant such as previous history, risk assessments, whether the child or their family have made similar allegations and the individual's current contact with children.

In cases of an allegation against the Principal, Regional Director or Executive Principal, s/he should not be asked to gather the above information themselves. (Refer to point 4.2)

The following definitions should be used when determining the outcome of allegation investigations:

- a. Substantiated: there is sufficient evidence to prove the allegation;
- b. Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- c. False: there is sufficient evidence to disprove the allegation;
- d. Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;
- e. Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

After the fact-finding exercise and further discussion with the Designated Officer (LADO), and determined outcome one or more of the following may be applicable:

- a) The pupil is alleged to have suffered, or is likely to suffer, significant harm - this requires an immediate referral to social care.
- b) A criminal offence is alleged - this requires referral to the police.
- c) The allegation relates to poor or inappropriate behaviour and requires an investigation to be completed. The People Business Partner should be notified. In addition, the Head of Safeguarding should be informed to ensure staff/pupil support/external referral (as necessary)
- d) The allegation is clearly and demonstrably without foundation and no further action is required.

Where it is clear that an investigation by the police or Local Authority children's social care is unnecessary, or the strategy discussion or initial evaluation decides that is the case, in those circumstances the options open to the school are dependent on the nature and circumstances of the allegation and the evidence and information available. The school should refer to the Ark Schools Disciplinary or Capability Policy as appropriate.

The Principal will continue to update the Regional Director as well as the Head of Safeguarding and HR Business partner during the initial consideration process.

### **Responding to fact finding outcomes**

#### *Step 3: Responding to the fact-finding outcomes*

Following the fact-finding exercise, one or more of the outcomes set out in section 4.10 (a) to (e) below may be applicable.

#### **Outcome where either 4.11 (a) the pupil is alleged to have suffered, or is likely to suffer, significant harm or 4.11 (b) a criminal offence is alleged.**

##### *Strategy discussion*

If the conclusion relates to either 4.10 (a) or 4.10 (b) above, the Designated Officer (LADO) will arrange a strategy discussion. The Principal, police, social care, Regional People Business Partner must be invited and Head of Safeguarding should be invited (if matter relates to SLT/Principal). The staff member should not attend. The discussion will:

- focus on the needs of the pupil(s) who may be at risk; and
- determine what action should be taken regarding further investigation
- decide on who will inform the parents/carers of the child or young person

##### *Strategy meeting*

Following the outcome of the strategy discussion, a strategy meeting will be convened. The Designated Officer (LADO) will convene the meeting with any other relevant people, such as the Principal, social care, police, and Regional People Business Partner. The staff member against whom the allegations is made against should not attend. The general purpose of the meeting is to consider evidence and discuss next steps.

The LADO will send out a letter inviting attendees to the meeting, detailing what will be discussed. At the end of the strategy meeting, it will be agreed how and who will inform the staff member of the outcome.

Subsequent strategy meetings will be held fortnightly, or at a minimum, monthly, to review progress. Each strategy discussion outcome will depend on the facts of the matter and the particular agencies which may be involved.

**Important note:** where there is an allegation of harm or a crime has been committed, please also refer to sections 8 and 9 below.

#### **Outcome where 4.11 (c) the allegation relates to poor or inappropriate behaviour**

In the course of an investigation, several elements may be followed:

the Principal to liaise with the Regional People Business Partner to arrange for an investigation to be conducted. Guidance on who should undertake an investigation and how one must be completed can be found in The Ark Schools Disciplinary Policy point 5.

Enquires and assessment by social care about whether a child is in need of protection or in need of services.

### *Suspension during an investigation*

Refer to [Ark Schools Disciplinary Policy Pt 9](#).

Discuss suspension with your Regional People Business Partner prior to taking action. If your Regional People Business Partner is unavailable, please ensure you contact the AskHR team for advice. You must ensure the Regional Director and Head of Safeguarding are informed.

At the conclusion of the investigation the possible outcomes are as follows:

- No further action
- Refer the matter to Informal management guidance and/or training
- Refer to a disciplinary hearing and whether the case is potentially one of gross misconduct
- Refer to the Ark Schools Capability Policy and Procedure

### **Outcome where 4.10 (e) the allegation is clearly and demonstrably without foundation:**

If the conclusion relates to 4.10 (e), the staff member should be told orally and in writing that the allegation is without foundation and no further action will be taken. Details of allegations that are found to have been malicious should be removed from personnel records

### *Informing the individual and others*

The Principal should inform the member of staff against whom the allegation has been made against, about the allegation as soon as possible after consulting the Designated Officer (LADO), Head of Safeguarding and People Business Partner.

The Principal will discuss with the Designated Officer (LADO) at the initial consideration stage on how to inform parents or carers of the allegation. Thereafter, parents/carers should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome.

### *If a referral to children's social care is required*

As set out in section 4.10 (a), a referral is required:

- if a pupil has suffered, is suffering, or is likely to suffer significant or serious harm
- a pupil alleges a criminal offence has been committed
- where there is an allegation of a sexual nature

These referrals are managed in accordance with referral processes and thresholds established by the local safeguarding partners.

The Principal will liaise with the DSL when a referral to social care and or external body is required.

### *If a crime has been committed*

As set out in section 4.10 (b), if a crime has been committed, and there is no reason to suspect significant harm, the Designated Officer (LADO) will immediately inform the police and organise a strategy discussion to decide if a police investigation is needed.

If it is not necessary to work with social care, but a police investigation is required, the Designated Officer (LADO) will then agree with the police, the school and any other agencies the nature of the allegation and how it should be addressed. The discussion will take place within one working day of the referral. The police will continue to monitor the case.

If the member of staff is not charged, the Principal and Designated Officer (LADO) will decide how to handle the case. If a charge is necessary, the police will inform the member of staff.

### *Suspension*

In cases where suspension is a consideration refer to [Ark Schools Disciplinary Policy Pt 9](#).

You **must** discuss suspension with your Regional People Business Partner prior to taking action.

### **Record keeping and information sharing**

#### *Records*

The Principal will record any allegation, concern and discussions on a permission only part of Impero EdAware the safeguarding all-in-one online recording tool. Records should be completed as soon as possible after the allegation. This includes:

- incident details
- follow up action
- how it was resolved
- action taken
- any sanctions

Even if no police or disciplinary action is taken, a record will be kept of the allegation on the Impero EdAware online tool.

If the actions of the member of staff, and the consequences of the actions, do not raise credible allegation concerns, but do raise other issues in relation to the conduct of the member of staff or the pupil(s), this will be addressed in accordance with internal procedures.

Any information or referral forms submitted to the Designated Officer (LADO) or investigation agencies should be scanned into the file.

#### *Information sharing: need to know*

Other staff will only be informed on a 'need to know' basis. Notification may be delayed if the police believe it could prejudice an investigation. Those who will be told are likely to include:

- staff member;
- pupil concerned and their parent(s)/carers;
- individual making the allegation;
- principal and regional director;
- head of safeguarding and People Business Partner;
- head of communications;
- designated officer (LADO) and investigating agencies

If a staff member's suspension results in disciplinary action, the investigating officer and members on the disciplinary chair (if appropriate) will be given all information with redactions to protect the identity of pupils.

The individuals outlined above will be informed of the outcome/actions of any meeting, as well as Ark's Education Directors, the Chair of the governing body and Safeguarding link governor (as necessary).

#### *False allegations*

If an allegation is found to be false, action will be taken to see if the person making the allegation is in need of services. If it is a deliberately malicious allegation made by:

- a pupil, the Principal will take action in line with the Behavioural Policy.
- a staff member, it will be handled in accordance with the Disciplinary Policy – the police may also consider taking action in this situation.

If it is clear an allegation is false and /or unfounded, the accused staff member will be informed orally and in writing that no further action will be taken. Details of allegations that are found to have been malicious should be removed from personnel records.

### *Supporting those involved*

Ark has a duty of care to staff, supply staff and volunteers. The school aims to support the individual throughout the allegation process and will do all it can to manage and minimise stress. If the individual is external to the school, contact will be made with the relevant agency or service provider.

Information will be provided to the individual as soon as possible in line with the guidance set out in this procedure and throughout the allegation process. A named representative will be appointed to keep the individual informed of the progress of the allegation.

The member of staff or supply staff may wish to contact their Trade Union Representative, if they have one, or a colleague for support. Staff should also be reminded about the confidential counselling support, which is available through the Employee Assistance Programme (section 13).

Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence. The staff member should be advised not to discuss the case with any staff members.

### *Employee Assistance Programme*

The service is available 24 hours a day, 7 days a week, and 365 days a year and is accessible by phone, email, instant messaging and website. The service offers assistance with any work, personal or family issue and includes professional consultation, access to face-to-face counselling (up to six sessions), information, resources and referrals to local services. EAP can be accessed, in the following ways:

FREEPHONE:           0800 243 458

EMAIL                    [assistance@workplaceoptions.com](mailto:assistance@workplaceoptions.com)

WEBSITE                [www.workplaceoptions.com](http://www.workplaceoptions.com) (Username: **Ark Schools**, Password: **employee**)

SMS (for call back):    **7909 229**

Should medical advice and guidance be required this can be arranged through the member of staff responsible for HR within the academy, who will arrange for a referral to Ark's Occupational Health providers.

### *Confidentiality*

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. Schools should take advice from Ark Central on:

- who needs to know and, importantly, exactly what information can be shared;
- how to manage speculation, leaks and gossip;
- what, if any, information can be reasonably given to the wider community to reduce speculation; and
- how to manage press interest, if and when it should arise.

### *On conclusion of a case and exit arrangements: possible referrals required*

If an allegation is founded, the KCSIE guidance should be consulted in conjunction with this procedure as to which referrals to professional bodies may be required.

### *Referral to Disclosure and Barring Service (DBS)*

Schools have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- the harm test is satisfied in respect of that individual. To satisfy the harm test there needs to be credible evidence of a risk of harm to children or vulnerable adults such as statements made by an individual regarding conduct/behaviour, etc.
- For a case to be considered as a risk of harm, relevant conduct would not have occurred but there must be tangible evidence rather than a “feeling” that a person represents a risk to children and / or vulnerable adults. For example, a teacher who confides in their head teacher that they are sexually attracted to children (but who had not engaged in ‘relevant conduct’) would satisfy the harm test.
- the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and
- the individual has ceased working in a regulated activity or would have been removed had they not left.

### *Referral to Teaching Regulation Agency (TRA) for consideration*

Where an allegation is substantiated and the member of staff is dismissed or resigns, school should consider referring the matter to the TRA for consideration for a prohibition order.

### *Lessons learnt*

If there is a substantiated allegation against a member of staff, the Principal, Regional Director, Head of Safeguarding, People Business Partner, DSL and Director of External Relations will work with the Designated Officer (LADO) to identify any changes, lessons learnt and improvements which could be made to help prevent similar events in the future.

## Concern/Allegation made against a member of staff flowchart

Allegation raised

### ALLEGATIONS AGAINST TEACHERS & OTHER STAFF

Allegation involves a member of staff, supply staff or volunteer

Allegation involves Principal

The Principal consults the Designated Officer (LADO).

Contact and inform Regional Director, Head of Safeguarding & People Business Partner.

Consult the Designated Officer (LADO) if not already done so.

Step 1: Initial considerations

Step 2: Fact finding exercise and further discussion with Designated Officer (LADO).

Step 3: Responses to fact finding

The pupil is alleged to have suffered, or is likely to suffer, significant harm.

Criminal offence is alleged.

The allegation relates to poor or inappropriate behaviour.

The allegation is clearly and demonstrably without foundation and no further action is required.

Designated Officer (LADO) to organise strategy discussion.

Where allegation of criminal offence, requires referral to police. In case of serious harm, referral required to social care.

Follow the Ark Schools Disciplinary or Capability procedures (where appropriate).

The staff member should be told orally and in writing that the allegation is without foundation and no further action will be taken. Details of allegations that are found to have been malicious should be removed from personnel records

## Disqualification under the Childcare Act 2006 (DfE Feb 2018)

The Department for Education (DfE) has issued supplementary advice to their “Keeping Children Safe in Education” statutory guidance (2019), detailing a requirement for childcare disqualification checks to be carried out on relevant staff working in schools and academies. The supplementary advice may be found at: <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

These checks arise from the Childcare (Disqualification) Regulations 2009 and the Education Act 2006.

The Regulations prohibit **anyone who is disqualified themselves** under the Regulations, or **who lives in the same household as a disqualified person**, from working in a relevant setting, including in schools.

### *What are Relevant Staff and Relevant Settings?*

The following categories of staff in nursery, primary or secondary school settings are covered by the Childcare (Disqualification) Regulations 2009.

- a) staff who work in early years provision (including teachers and support staff working in school nursery and reception classes);
- b) staff working in later years provision for children who have not attained the age of 8 including before-school settings, such as breakfast clubs, and after school provision;
- c) staff who are directly concerned in the management of such settings as laid out in points (a) and (b)

The Regulations refer to employing a person “in connection with” these provisions and therefore:

- In Infant and Nursery Schools - All staff will be covered
- Primary/Junior Schools - All staff are covered unless they are always exclusively working with those over the age of 8.
- Secondary Schools - will need to undertake checks on relevant staff (including managers) where any services are provided where under 8s may be in attendance e.g. childcare facilities, before or after school clubs

### *Who is disqualified from working in a relevant setting?*

A person is disqualified from working in a relevant setting if any of the following apply:

- They have been cautioned for, or convicted of certain violent or sexual criminal offences against adults and any offences against children;
- They are the subject of an Order, direction or similar in respect of childcare, including orders made in respect of their own children
- That have had registration refused or cancelled in relation to childcare of children’s homes or have been disqualified from private fostering;
- They live in the same household where another person who is disqualified lives or works (disqualification ‘by association’). This means that the householder has an order, restriction, conviction, caution etc. set out in the Legislation. It is accepted that staff may not necessarily know this information – the declaration requires them to answer “to the best of their knowledge”

Full details of what constitutes “disqualification” are in the Schedules to the Regulations:

<http://www.legislation.gov.uk/ukxi/2009/1547/contents/made>

### *Immediate Actions for Academies*

There are four key actions required:

1. All relevant staff in relevant settings must be asked to complete a declaration as soon as possible, affirming that they are not disqualified. A declaration form is attached. Academies should print the Schedules to the Regulations (which detail the disqualification orders, offences etc) and make these available for staff with each form for reference. The links are here:
  - <http://www.legislation.gov.uk/ukxi/2009/1547/schedule/1/made>



- <http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made>
  - <http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made>
2. Academies should contact Ark's Head of Employee Relations (Shereen Moussa) immediately if they:
    - a. know now of anyone in their employment who is or may be disqualified
    - b. receive a positive declaration from any member of staff

**Anyone who is disqualified (including by association) will need to be immediately removed from the relevant setting (probably through suspension in the case of employees) and OFSTED must be notified within 14 days.**

3. All new appointments in relevant settings, from this point onwards, will be required to complete the declaration prior to commencing work and DBS certificates will be checked with reference to list of relevant offences in the Act (Schedules 2&3).
4. Academies must ensure that any external agency providing relevant staffs, in relevant settings, carry out these checks prior to placing them in the school.

Academies will need to set a short deadline for the return of the form by existing staff – one week would be reasonable. Where a member of staff does not complete and return the form, it may be necessary to take action to remove them from work. Please seek HR Advice in these cases. HR will be making contact with Trade Unions and Professional Associations regarding this matter so that they are aware of our advice.

#### *Disqualified Workers*

HR will support academies in dealing with cases where a disqualified person is identified. A disqualified person can apply to OFSTED for a waiver: <http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-andchildcareproviders>

OFSTED may grant a full or partial waiver, including a waiver that would allow an individual to work in a relevant school setting. While a waiver application is under consideration the individual must not continue to work in these settings. Where a waiver is not granted, the employee will need to be dismissed unless redeployment options are available.

#### *Volunteers, Governors, Contractors and Agency Workers*

A County Council has received verbal confirmation from the DfE that the Childcare (Disqualification) Regulations 2009 do NOT apply to volunteers – this replaces previous advice. This means that academies are not required to ask existing or new volunteers to complete a disqualification declaration form and that volunteers are not, by statute, disqualified from working in a school by virtue of these regulations. However, the principles set out Part 2 of Keeping Children Safe in Education relating to the management of safeguarding states that:

*“In line with part three of this guidance, governing bodies and proprietors should prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required; and ensuring volunteers are appropriately supervised.”*

If Governing Bodies wish to ask volunteers to complete a Disqualification declaration, this could be viewed as a proportionate decision as they are applying the same standards of safeguarding checks to volunteers as to their employees. The DfE has confirmed to the Council that they consider this to be the right approach.

Any such information provided by volunteers or prospective volunteers should be assessed in line with the guidance issued in relation to employees. Ofsted will not consider a waiver application in respect of a volunteer (as the Regulations do not apply) and academies will need to make a decision about whether to allow the individual to continue volunteering – this should involve a risk assessment having regard to the information provided on the declaration, the nature of the activities they undertake and the level of supervision in place.

However, in order to ensure that we provide the safest possible environment for our children, Ark Schools recommends that Governing Bodies should view it as proportionate to ask volunteers to complete a Disqualification declaration.

This Council has also received verbal confirmation from the DfE that the Regulations do NOT apply to Governors – this replaces previous advice. A Governor could not therefore be prevented from holding office under these Regulations, although the School Governance Regulations 2012 already set out the factors that may exclude a person from becoming a Governor, including being barred from any regulated activity relating to children and being disqualified from working with children or from registering for childminding or providing day care.

However, in order to ensure that we provide the safest possible environment for our children, Ark Schools recommends that Governing Bodies should view it as a proportionate measure that Governors complete a Disqualification declaration. Members of the Propriety Body will also be asked to complete the declaration.

Contractors are responsible as employers for ensuring that persons caring for children are suitable to work with children. In the case of workers that are supplied by an agency or third party organisation, academies should ensure that the agency or organisation has carried out the relevant checks.

## The Governors handbook – (requirement for Governors)

A link governor will be appointed by the LGB and it will be the responsibility of this governor to share information, as appropriate, with the LGB. Regular safeguarding reports will be shared with the LGB. See part 2 of KCSIE and section 6.5 of the Safeguarding Policy.

Please see the Governor’s handbook for more information.

## Local, Network and National support services for staff, parents, pupils

### *Local support services*

Further information about Hammersmith and Fulham support services for staff, parents and pupils can be found on the website of the Local Safeguarding Children Board:

<https://www.rbkc.gov.uk/lscb/>

### *Network support services*

The Ark Network provides a wide range of additional support services for staff through the Employee Assistance Programme. More information about this can be found using the following contact details:

- FREEPHONE: 0800 243 458
- E-MAIL: [assistance@workplaceoptions.com](mailto:assistance@workplaceoptions.com)
- WEBSITE: [www.workplaceoptions.com](http://www.workplaceoptions.com)
- USERNAME: **Ark Schools**
- PASSWORD: **employee**

Where parents or pupils require additional support with any safeguarding issues, please contact the Ark Burlington Danes safeguarding team in the first instance, either by calling the school main office on 0208 735 4950 or by emailing [bda.school@burlingtondanes.org](mailto:bda.school@burlingtondanes.org) with the subject heading: ‘Safeguarding’

### *National support services*

Further information on government advice and guidance on a wide range of safeguarding concerns can be found in ‘Keeping Children Safe in Education,’ updated 2019, and Annex A of this document. This can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/487799/Keeping\\_children\\_safe\\_in\\_education\\_draft\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/487799/Keeping_children_safe_in_education_draft_statutory_guidance.pdf)

Additional information on specific safeguarding concerns can be found in the subsections of this document.