

## Safeguarding/Prevent and Child Protection Policy 2024/25

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Approved by: Head of Service – 6 August 2024

### Links with other policies

It should be noted that this policy does not stand alone but is written in conjunction with a number of other Hull Training and Adult Education (HTAE) policies/documents, amongst them are:

Safeguarding policies including Hull City Council corporate policies and procedures

Anti-bullying policy

Behaviour policy

SEND policy

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## 1. Aims

Hull Training & Adult Education (HTAE) aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

## 2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance Keeping Children Safe in Education (2024) and Working Together to Safeguard Children (2018). HTAE complies with the guidance in these documents.

**This policy is also based on the following legislation:**

- Part 3 of the schedule to the Education (Independent HTAE Standards) Regulations 2014, which places a duty on academies and independent HTAEs to safeguard and promote the welfare of learners.
- The Children Act 1989 (and 2004 amendment), which provides a framework for the care and protection of children.
- Section 5B (11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the Serious Crime Act 2015, which places a statutory duty on tutors to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under the age of 18.
- Statutory guidance on FGM, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM.
- The Rehabilitation of Offenders Act 1974, which outlines when people with criminal convictions can work with children.
- Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, which defines what 'regulated activity' is in relation to children.
- Statutory guidance on the Prevent duty, which explains HTAEs' duties under the Counterterrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism.

This policy also complies with our funding agreement and articles of association.

## 3. Definitions

Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

Abuse is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm.

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### **Appendix 1 explains the different types of abuse.**

Neglect is a form of abuse and 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.

### **Appendix 1 defines neglect in more detail.**

Nudes/Semi-nudes/Sexting (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children.

### **Children includes everyone under the age of 18.**

**The following 3 safeguarding partners are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017).** They will make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs:

- The local authority (LA)
- A clinical commissioning group for an area within the LA
- The chief officer of police for a police area in the LA area

### **4. Equality statement**

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities (see section 9)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after

### **5. Roles and responsibilities**

Safeguarding, child protection and promoting the welfare of children are everyone's responsibility. This policy applies to all staff, volunteers, and governors at HTAE and is consistent with the procedures of the 3 safeguarding partners. Our policy and procedures also apply to extended HTAE and off-site activities.

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### 5.1 Names and contact details of people with specific responsibility for Safeguarding

- Designated (DSL) and Deputy (DDSL) Safeguarding Leads, HTAE – 01482 615349
- Local Authority Designated Officer (LADO) East Riding of Yorkshire Council Lorraine Wilson/Siobhan Bath: Tel: 01482 396999
- Local Authority Designated Officer (LADO) Hull City Council Jackie Edhouse:  
Tel: 07710 119092

### 5.2 All staff

All staff will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, Keeping Children Safe in Education annually and when updates are added in September of every year and review this guidance.

#### All staff will be aware of:

- Our systems which support safeguarding, including this child protection and safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL) and Deputy DSLs, the Behaviours policy, and the safeguarding response to Children who go Missing from Education
- The early help process (sometimes known as the common assessment framework) and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as peer on peer abuse, child sexual exploitation (CSE), FGM and radicalisation. Section 13 and appendix 4 of this policy outline in more detail how staff are supported to do this.

### 5.3 The Designated Safeguarding Lead (DSL)

The HTAE DSL takes lead responsibility for child protection and wider safeguarding.

The DSL will be available during working hours for staff to discuss any safeguarding concerns.

#### See 5.1 for contact details.

The DSL will be given the time, funding, training, resources, and support to:

- Over-see the development and implementation of the Safeguarding policy
- Maintain HTAE Child Protection register (CPOMS)
- Provide advice and support to staff on child welfare and child protection matters
- Take part in external agency strategy discussions and inter-agency meetings and/or support other staff to do so

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- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Liaise with external mental health agencies and help promote educational outcomes for learners affected by safeguarding and child protection issues

The DSL will also keep the Head of service and Safeguarding Governor informed of any issues and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The full responsibilities of the DSL are set out in the safeguarding manager job description.

#### **5.4 The Deputy Designated Safeguarding Lead (DDSL)**

See 5.1 for contact details.

The DDSLs will deputise for the DSL in DDSL absence.

#### **5.5 Governing Board (EAB)**

The Governing Board will approve this policy at each review, ensure it complies with the law and hold the head of service to account for its implementation.

N.B. Governors **will not** have access to details of individual Child Protection Cases.

The Governing Board will appoint a DSG to monitor the effectiveness of this policy in conjunction with the full Governing Board.

The Chair of Governors will act as the 'case manager' if an allegation of abuse is made against the Head of Service, where appropriate (see appendix 3).

All governors will read Keeping Children Safe in Education.

Section 13 has information on how governors are supported to fulfil their role.

#### **5.6 The Head of Service**

The H Of S is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of our systems which support Safeguarding, including this policy, as part of their induction
- Communicating this policy to parents when their child joins HTAE and via HTAE website
- Ensuring that the DSL has appropriate time, funding, training, and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate Safeguarding and Child Protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)

### **6. Confidentiality**

Timely information sharing is essential to effective Safeguarding. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children. The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe. If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share

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information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests.

The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information and will support staff who must make decisions about sharing information.

If staff are in any doubt about sharing information, they should speak to the DSL (or DDSL)

Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against staff in appendix 3.

## 7. Recognising abuse and taking action

Staff, volunteers, and governors must follow the procedures set out below in the event of a Safeguarding issue.

N.B. In this and subsequent sections, you should take any references to the DSL to mean "the DSL (or DDSL)".

**7.1** If a learner is suffering or likely to suffer from harm, or in immediate danger, if a child is suffering or likely to suffer from harm, or in immediate danger:

- Tell the DSL or DDSLs in person (see section 5.2) The member of staff reporting the concern must contact the police/emergency services with immediate effect. If the member of staff is with the DSL or DDSL at the time of the reported concern the DSL/DDSL will make the phone call to the relevant emergency services
- If, in exceptional circumstances, the DSL and DDSLs are not available, refer the matter to the Head of Service, ensure emergency services have been contacted first if at risk of immediate danger
- Enter the concerns into CPOMS as soon as possible and on the same day – alert only relevant staff

**7.2** If you have concerns about a learner (as opposed to believing a learner is suffering or likely to suffer from harm, or in immediate danger) If a child is not suffering or likely to suffer from harm, or in immediate danger:

- Tell the DSL or DDSLs in person (see section 5.2) as soon as possible and within an hour of you becoming aware of the concerns
- If, in exceptional circumstances, the DSL and DDSLs are not available, refer the matter to the Head of Service
- Enter the concerns into CPOMS as soon as possible and on the same day – alert only relevant staff. Do not discuss with staff members who are not directly linked to the disclosure. The DSL will advise information on a 'Need to know Basis' which can be communicated to staff supporting the learner or person who has made the disclosure.

### 7.3 If a learner makes a disclosure to you.

If a learner discloses a Safeguarding issue to you:

- Listen and accept the information being given as true. Allow them time to talk freely and do not ask leading questions.
- Stay calm and do not show that you are shocked or upset

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- Reassure the child/learner that they have done the right thing in telling you. Do not tell them they should have told you sooner.
- Explain what will happen next and that you will have to pass this information on. Ensure confidentiality. But DO NOT promise to keep it a secret.
- Write up your conversation as soon as possible in the child/learner's own words – BE FACTUAL. **Do not** make judgements.
- Pass it on by adding to CPOMS and alerting the DSL and centre DDSL. If, in exceptional circumstances, the DSL and DDSLs are not available, refer the matter to the Head of Service. Enter the details onto CPOMS as soon as possible and on the same day – alert only relevant staff.

#### **7.4 If you discover that FGM has taken place, or a learner is at risk of FGM.**

The Department for Education's Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'. Possible indicators that a learner has already been subjected to FGM, and factors that suggest a learner may be at risk, are set out in appendix 4.

Any member of staff who discovers (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a learner under 18 must immediately report this to the police, personally. This is a statutory duty, and staff will face disciplinary sanctions for failing to meet it. They must also refer the case with the DSL who will involve children's social care as appropriate.

The duty for staff mentioned above does not apply in cases where a learner is at risk of FGM or FGM is suspected but is not known to have been carried out.

Any member of staff who discovers that an act of FGM appears to have been carried out on a learner under 18 must speak to the DSL and follow HTAE safeguarding procedures.

Any member of staff who suspects a learner is at risk of FGM or suspects that FGM has been carried out must speak to the DSL and follow HTAE's Safeguarding procedures outlined in 7.1.

Staff **must not** examine learners.

#### **7.5 If you have concerns about extremism.**

If a child is not suffering or likely to suffer from harm, or in immediate danger:

- Tell the DSL or DDSLs in person (see section 5.2) as soon as possible and within an hour of you becoming aware of the concerns
- If, in exceptional circumstances, the DSL and DDSLs are not available, refer the matter to the Head of Service
- Enter the concerns into CPOMS as soon as possible and on the same day – alert only relevant staff

Where there is a concern, the DSL will consider the level of risk and decide upon any referrals.

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This could include Channel, the government’s programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children’s social care team.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which staff and governors can call to raise concerns about extremism with respect to a learner. You can also email Counter Terrorism Policing at gov.uk/ACT

Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

Further reading and guidance:

DfE: Guidance

The Prevent duty: an introduction for those with safeguarding responsibilities. (updated 7 September 2023)

### 7.6 Early help

If early help is appropriate, the DSL will lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

The DSL will keep the case under constant review and HTAE will consider a referral to local authority children’s social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

### 7.7 Referral

If it is appropriate to refer the case to local authority children’s social care or the police, the DSL or a DDSL will make the referral. (See 7.1 in cases of immediate danger)

If, in exceptional circumstances the DSL and DDSLs are not available, the Head of Service will make the referral.

**The Local Authority procedure is as follows:**

- LA receives a referral from the HTAE or college/FE provider
- LA reviews the case and decides the course of action – this should be within one working day of the initial referral
- LA informs the HTAE/college/FE provider of any further action to be taken

The DSL must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the learner’s situation does not seem to be improving after the referral, the DSL must follow local escalation procedures to ensure their concerns have been addressed and that the child’s situation improves.

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### 7.8 Concerns about a staff member or volunteer

If you have concerns about a member of staff or volunteer, or an allegation is made about a member of staff or volunteer posing a risk of harm to children, speak to the Head of service immediately. If the concerns/allegations are about the Head of service, speak to the Chair of Governors (contact details available on the HTAE website).

The Head of service/Chair of Governors will then follow the procedures set out in appendix 3, if appropriate.

### 7.9 Allegations of abuse made against other learners – peer on peer abuse.

We recognise that learners can abuse their peers. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”. HTAE takes a zero-tolerance approach to this and even if there are no reported cases, we should not assume that peer on peer abuse is not happening in HTAE as it may just be that it is going unreported. We also recognise the gendered nature of peer-on-peer abuse (i.e., that it is more likely that girls will be victims and boys will be perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously. Peer on peer abuse can include child on child abuse and can take place within intimate partner relationships.

Most cases of learners hurting other learners will be dealt with under HTAE’s behaviour policy, but this child protection/prevent, and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- is serious, and potentially a criminal offence
- could put learners whilst on HTAE premises at risk
- is violent (including initiation/hazing type violence and rituals)
- involves learners being forced to use drugs, alcohol, or other illegal substances
- involves sexual exploitation, sexual abuse, or sexual harassment, such as indecent exposure, sexual assault, forcing someone to strip or touch themselves sexually or sexually inappropriate pictures or videos (including consensual and non-consensual sharing of nudes and semi-nude images)

#### **If a learner makes an allegation of abuse by or against another learner:**

- Reassure the victim/s that they are being taken seriously and that they will be supported and kept safe. Never give the impression that they are creating a problem by reporting abuse, sexual violence, or sexual harassment. Do not say or do anything to make them feel ashamed for making a report.
- Tell the DSL or DDSLs in person (see section 5.2) as soon as possible and within an hour of you becoming aware of the concerns
- If, in exceptional circumstances, the DSL and DDSLs are not available, refer the matter to the Head of Service
- Enter the concerns into CPOMS as soon as possible and on the same day -alert only relevant staff
- Do not investigate it
- The DSL will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence

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- The DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person to whom they can talk if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

#### **We will minimise the risk of peer-on-peer abuse by:**

- challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female learners, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate learners about appropriate behaviour and consent
- Ensuring learners know they can talk to staff confidentially by promoting referral procedures at induction and on posters displayed around HTAE centres
- Ensuring staff are trained to understand that a learner harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

#### **Sharing of nudes or semi-nude images/videos**

Your responsibilities when responding to an incident.

If you are made aware of an incident involving the sharing of nudes or semi-nude images/videos (previously known as 'sexting' or 'youth produced sexual imagery'), you must:

- Explain to the learner(s), if the disclosure has come from them, that you need to report the incident, and reassure them that they will receive support and help from the DSL
- Tell the DSL or DDSLs in person (see section 7.2) as soon as possible and within an hour of you becoming aware of the concerns
- If, in exceptional circumstances, the DSL and DDSLs are not available, refer the matter to the Head of Service
- Enter the concerns into CPOMS as soon as possible and on the same day – alert only relevant staff

#### **You must not:**

- View, download or share the imagery yourself, or ask a learner to share or download it. If you have already viewed the imagery by accident, you must report this to the DSL.
- Delete the imagery or ask the learner to delete it
- Ask the learner(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- Share information about the incident with other members of staff, the learner(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved in the Initial review meeting.

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Following a report of an incident, the DSL will hold an initial review meeting with the Head of Service. This meeting will consider the initial evidence and aim to determine:

- whether there is an immediate risk to learner(s)
- if a referral needs to be made to the police and/or children's social care
- if it is necessary to view the imagery in order to safeguard the young person (in most cases, imagery should not be viewed)
- what further information is required to decide on the best response
- whether the imagery has been shared widely and via what services and/or platforms (this may be unknown)
- whether immediate action should be taken to delete or remove images from devices or online services
- any relevant facts about the learners involved which would influence risk assessment
- if there is a need to contact another HTAE, college, setting or individual
- whether to contact parents or carers of the learners involved (in most cases parents should be involved)

The DSL will make an immediate referral to police and/or children's social care if:

- the incident involves an adult
- there is reason to believe that a young person has been coerced, blackmailed, or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs or other vulnerability)
- what the DSL knows about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- the imagery involves sexual acts and any learner in the imagery is under 13
- the DSL has reason to believe a learner is at immediate risk of harm owing to the sharing of the imagery (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the Head of Service, may decide to respond to the incident without involving the police or children's social care.

### Further review by the DSL

If, at the initial review stage, a decision has been made not to refer to police and/or children's social care, the DSL will conduct a further review.

They will hold interviews with the learners involved (if appropriate) to establish the facts and assess the risks.

If at any point in the process there is a concern that a learner has been harmed or is at risk of harm, a referral will be made to children's social care and/or the police immediately.

### Informing parents

The DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the learner at risk of harm.

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### Referring to the police

If it is necessary to refer an incident to the police, this will be done by the DSL by dialling 101. (See point 7.2)

### Recording incidents

All incidents and the decisions made in responding to them will be recorded on CPOMS. The record-keeping arrangements set out in section 12 of this policy also apply to recording incidents of sharing nudes/semi-nude images or videos.

### Curriculum coverage

Learners are taught about the issues surrounding the sharing of nudes and semi-nudes as part of our Employability & Healthy Relationships Skills education and computing programmes. The curriculum plan covers the following in relation to the sharing of nudes/semi-nude images or videos:

- What the sharing of nudes is
- How the sharing of nudes is most likely to be encountered
- The consequences of requesting, forwarding, or providing such images, including when it is and is not abusive
- Issues of legality
- The risk of damage to people's feelings and reputation learners also learns the strategies and skills needed to manage:
- specific requests or pressure to provide (or forward) such images
- the receipt of such images

### 8. Notifying parents

Where appropriate, we will discuss any concerns about a child with the child's parents. In the event of a suspicion or disclosure, only the DSL or Head of service will do this.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so.

### 9. Learners with special educational needs and disabilities

We recognise that learners with special educational needs and disabilities (SEND) can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Learners being more prone to peer group isolation than other learners
- The potential for learners with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

We offer extra pastoral/classroom assistant support for learners with SEND. See SEND policy.

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## 10. Mobile phones and cameras

Staff and learners are allowed to bring their personal phones to HTAE for their own use but will limit such use to non-contact time. Mobile phones may be used in lessons by learners with the permission of the tutor. Staff may only use mobile phones in lessons under exceptional circumstances.

Staff will not take pictures or recordings of learners on their personal phones or cameras.

Staff **will not** give out personal email addresses or telephone contact numbers to learners.

Learners will not take pictures or recordings of staff on their personal phones or cameras.

Learners may take pictures or recordings of other learners for curriculum reasons, but only with the consent of both the learners and the tutor.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use at HTAE.

We recognise that young people may have unrestricted access to the internet via their mobile phones and any inappropriate online behaviour carried out at HTAE will be dealt with according to the Safeguarding, E- Safety & Behaviour policies.

### Filtering and monitoring systems

HTAE's Designated Safeguarding Lead has a lead role working closely with the IT lead to ensure there are appropriate and robust filtering and monitoring systems in place, and clear procedures to respond and intervene to issues considering safeguarding concerns and responsibilities under the Prevent Duty.

HTAE deploys effective filtering and monitoring systems on its IT systems to safeguard and promote the welfare of learners without unreasonably impacting teaching and learning and provide them with a safe environment in which to learn. Our filtering and monitoring systems block harmful and inappropriate content and limit exposure to the risks from online harm, including radicalisation/extremism, serious violence, pornography, images of exploitation, etc. Additionally, web searches that contain references to extremism, serious harm and violence, self-harm and suicide, are also closely monitored through a system that sends a rapid alert via email to the IT department who provides a rapid response to investigate any safeguarding concerns and intervene to safeguard and protect as appropriate.

Incidents are recorded on HTAE CPOMS for individual learners.

HTAE regularly reviews its filtering and monitoring systems to ensure their effectiveness in a complex and rapidly changing online environment to ensure they remain robust and fit for purpose. All Governors and staff understand their responsibilities in this area, and it is included in training and annual safeguarding updates.

We will review our filtering and monitoring provision at least annually. This review will include additional checks to ensure systems are functioning effectively and meeting safeguarding responsibilities.

## 11. Complaints and concerns about HTAE Safeguarding policies

### 11.1 Complaints against staff

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

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**11.2** Other complaints - See Complaints policy.

**11.3** Whistleblowing – See Hull City Council Whistleblowing policy.

## **12. Record-keeping**

We will hold records in line with our records retention schedule.

All Safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual learners will be retained for a reasonable period of time after they have left HTAE.

Safeguarding records are held digitally on CPOMs. Access is limited to the DSL, DDSLs and Head of service.

Any paper records are held securely in a locked container within a locked office.

In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff

## **13. Training**

### **13.1** All staff

All staff members will undertake safeguarding and child protection training at induction, including on whistleblowing procedures, to ensure they understand HTAE's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from the 3 safeguarding partners.

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

Staff will also receive regular safeguarding and child protection updates (for example, through emails, ebulletins and staff meetings) as required, but at least termly.

Contractors who are provided through Service Level Agreements or similar contract will also receive safeguarding training.

Volunteers will receive appropriate training.

### **13.2** The DSL and DDSLs

The DSL and DDSLs will undertake child protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, or taking time to read and digest safeguarding developments).

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They will also undertake Prevent awareness training.

### 13.3 Governors

All governors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

As the chair of governors may be required to act as the 'case manager' in the event that an allegation of abuse is made against the Head of service, they receive training in managing allegations for this purpose.

The safeguarding Governor receives training including Prevent and Safer Recruitment.

### 13.4 Recruitment – interview panels

At least one person conducting any interview for a post at HTAE will have undertaken Safer Recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education and will be in line with local safeguarding procedures.

## 14. Monitoring arrangements

This policy will be reviewed annually by DSL and Head of service. At every review, it will be approved by the full Governing Board.

## 15. Links with other policies

This policy links to the following policies and procedures:

- Staff Code of Conduct
- Complaints
- Health and safety
- SEND
- Online safety
- Equality

Signed



Date 6 August 2024

Head of Service

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These appendices are based on the Department for Education's statutory guidance, **Keeping Children Safe in Education**.

### Appendix 1: types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse 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
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- 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.
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

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.

- 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, forcing someone to strip 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.

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:

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- 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 caregivers)
- Ensure access to appropriate medical care or treatment

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

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## Appendix 2: safer recruitment and DBS checks – policy and procedures

We will record all information on the checks carried out in HTAE's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of the DBS certificate but will record the certificate number and the name of the staff member who checked the certificate. For this we use Hull City Council online DBS checking system.
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available. Head of service and HR must approve any member of staff who works in regulated activity before the DBS certificate is available. Strict guidance and procedures would be sought and acted on before any member of staff is approved to start in regulated activity before the DBS is available. The start date would also be in line with approved Hull City Council policy and procedures for vetting new staff.
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards.
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a tutor
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any tutor sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a HTAE or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a HTAE or college where that work provides an opportunity for contact with children; or

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- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

### Existing staff

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult. HTAE policy is to renew all staff DBS every 3 years in line with Hull City Council Policy and procedures.

### where:

- We believe the individual has engaged in relevant conduct; or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe

the individual has committed a listed relevant offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or

- The 'harm test' is satisfied in respect of the individual (i.e., they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

### Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

### Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at HTAE has had the appropriate level of DBS check This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors. We will not keep a copy of the DBS certificate but will record the certificate number and the name of the staff member who checked the certificate.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at HTAE

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### **Trainee/learner tutors**

Where applicants for initial tutor training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee tutors are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

### **Volunteers**

We will:

- never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity.

### **Governors**

All governors and members will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All governors and members will also have the following checks:

- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

All members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008)

### **Staff working in alternative provision settings.**

Where we place a learner with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

### **Adults who supervise learners on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

No learner under the age of 16 will have work experience placements.

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### **Appendix 3: allegations of abuse made against staff (incl. Supply staff and volunteers)**

This section of this policy applies to all cases in which it is alleged that a current member of staff, supply staff for volunteer has or may have:

- behaved in a way that has harmed a child, or may have harmed a child, or
- possibly committed a criminal offence against or related to a child, or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children
- behaved in a way that indicates they may not be suitable to work with children

It applies regardless of whether the alleged abuse took place in the HTAE. Allegations against a tutor who is no longer teaching and historical allegations of abuse will be referred to the police.

Our procedures for dealing with allegations will be applied with common sense and judgement.

### **Suspension**

Suspension will not be the default position and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal.

### **Definitions for outcomes of allegation investigations**

- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- False: there is sufficient evidence to disprove the allegation
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

### **Procedure for dealing with allegations.**

In the event of an allegation that meets the criteria above, the Head of Service (or Chair of Governors where the Head of Service is the subject of the allegation) will be the 'case manager' and will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police before consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as

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possible after speaking to the designated officer (and the police or children's social care services,

where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies.

- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the HTAE is justified or whether alternative arrangements can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate.
- If immediate suspension is considered necessary, agree, and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at HTAE and their contact details.
- If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in HTAE and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against tutors (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a tutor will be advised to seek legal advice.
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

If HTAE is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the police are involved, wherever possible the Governing Board will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in HTAE's disciplinary process, should this be required at a later point.

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## Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week.
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days.
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days.

Hull City Council disciplinary policy and procedures will be followed in line with the advisory guidelines in this policy

## Specific actions

Action following a criminal investigation or prosecution.

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

## Conclusion of a case where the allegation is substantiated.

If the allegation is substantiated and the individual is dismissed or the HTAE ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

## Individuals returning to work after suspension.

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation if they are still attending HTAE.

## Unsubstantiated or malicious allegations

If an allegation is shown to be deliberately invented, or malicious, the Head of Service, or Chair of Governors in the case of an allegation against the Head of Service, will consider whether any disciplinary action is appropriate against the learner(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a learner.

## Confidentiality

HTAE will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks, and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality

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- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

### Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file (oracle) for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the HTAE will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer. Seek advice from HR.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

### References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated, or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated, or malicious.

### Learning lessons

After any cases where the allegations are substantiated, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to HTAE's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual.

### Low-level concerns

The term 'low-level' concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the harm threshold for an allegation.

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'Keeping Children Safe in Education' defines a low-level concern as:

"Any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or on behalf of the HTAE or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO"

### **Avoiding low-level concerning behaviour**

Behaviour defined as a 'low-level concern' can exist on a spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate but is not in specific circumstances, through to that which is ultimately intended to enable abuse.

Staff education and reinforcement on avoiding circumstances which may put them in a difficult situation is key to avoiding the need for dealing with these types of concerns.

HTAE ensures that staff are clear about what appropriate behaviour is through their induction and regularly reinforcement of documents such as:

- Staff Code of Conduct
- 'Avoiding Allegations' guidance
- Safeguarding and Child Protection policies and regular training
- Tutors' Standards (for teaching staff)

### **Reporting a low-level concern**

Low-level concerns about a member of staff should be reported to the Head of service as per HTAE's Child Protection procedures. If the concern is about the Head of service this should be reported to the Chair of Governors.

Low-level concerns about supply staff, contractors and local authority visiting staff will also be reported to their employers.

### **Dealing with a low-level concern**

Where a concern is raised about the practice or behaviour of a member of staff, this information must be recorded and passed to the Head of service.

The Head of service must then make an assessment to determine if the matter is a 'low-level concern' or an 'allegation' and follow one of the following routes.

- Allegations that meet the harm threshold will be referred to the LADO for advice.
- Low-level concerns that HTAE feel may need further guidance on will be referred to the LADO for advice.
- Low-level concerns that HTAE feel they can deal with internally will be dealt with via HTAE usual child protection investigation process.

HTAE will engage with its HR provider where it is necessary to undertake further investigation and/or deal with the concern under relevant processes.

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### Recording a low-level concern

All low-level concerns should be formally recorded by a member of staff when they are made aware of them.

This record should then be passed to the Head of service (or Chair of Governors if the concern is about the Head of service).

- Details of the concern.
- The context in which the concern arose.
- The outcome of the investigation and any action taken, and
- The name of the individual sharing their concerns (if known) (unless the individual wishes to remain anonymous which must be respected as far as possible).

Relevant records will be retained confidentially on the personnel file. A separate record will also be kept of low-level concerns to more easily identify patterns that may involve more than one member of staff. All records must be kept in line with data protection principles.

### Reviewing a low-level concern

Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

Where a pattern of such behaviour is identified, the Head of service will decide on a course of action, which may include:

- Disciplinary investigation and/or proceedings
- Management Advice, including recommendations for training
- Referral to the LADO (where a pattern of behaviour moves from a concern to meeting the harm threshold). HTAE will take advice, where appropriate, from their HR provider in respect of low-level concerns.

HTAE will also review appropriate policies and training, or other wider cultural issues in the service, to see whether anything needs to be done to minimise the risk of similar behaviour happening again.

Relevant records will be retained confidentially on the personnel file. A separate record will also be kept of low-level concerns to more easily identify patterns that may involve more than one member of staff. All records must be kept in line with data protection principles.

Low-level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

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## Appendix 4: specific safeguarding issues

### Children missing from education.

A child going missing from education, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- are at risk of harm or neglect
- are at risk of forced marriage or FGM
- come from Gypsy, Roma, or Traveller families
- come from the families of service personnel
- go missing or run away from home or care
- are supervised by the youth justice system
- Cease to attend HTAE
- Come from new migrant families

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves HTAE without a new training provider being named and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points. The HTAE data team inform connexions of any leavers under the age of 18.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is suffering or likely to suffer from harm, or in immediate danger.

### Child Criminal Exploitation (CCE)

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines, see below for more information), forced to shoplift, or pickpocket, or to threaten other young people.

Some of the following can be indicators of CCE:

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- children who appear with unexplained gifts or new possessions.
- children who associate with other young people involved in exploitation.
- children who suffer from changes in emotional well-being.
- children who misuse substances and alcohol; • children who go missing for periods of time or regularly come home late; and
- children who regularly miss HTAE or education or do not take part in education.

### Child sexual exploitation

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

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child or young person (male or female) under the age of 18 years, including 16- and 17-year-olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g., through others copying videos or images they have created and posted on social media). For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship. If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include the CCE indicators listed above and:

- children who have older boyfriends or girlfriends; and
- children who suffer from sexually transmitted infections or become pregnant.

### Mental Health

All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem.

Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy and speaking to the designated safeguarding lead or a member of the pastoral team.

### County lines

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County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including HTAEs, further and higher educational institutions, pupil referral units, special educational needs, children’s homes and care homes.

Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection.

Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and HTAE), when the victim may have been trafficked for the purpose of transporting drugs.

If a child is suspected to be at risk of or involved in county lines, then refer this to the DSL, DDSL or other senior member of staff using CPOMS

### **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child’s welfare.

The DSL and DDSLs will be aware of contact details and referral routes into the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

Where a child has been harmed or is at risk of harm, the DSL will also make a referral to children’s social care.

### **So-called ‘honour-based’ abuse (including FGM and forced marriage)**

So-called ‘honour-based’ abuse (HBA) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBA are abuse and will be handled and escalated as such. All staff will be alert to the possibility of a child being at risk of HBA or already having suffered it. If staff have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

### **FGM**

The Head of service will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

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Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a learner is at risk of FGM.

**Indicators that FGM has already occurred include:**

- a learner confiding in a professional that FGM has taken place
- a mother/family member disclosing that FGM has been carried out
- a family/learner already being known to social services in relation to other safeguarding issues
- a girl:
  - having difficulty walking, sitting, or standing, or looking uncomfortable
  - finding it hard to sit still for long periods of time (where this was not a problem previously)
  - spending longer than normal in the bathroom or toilet due to difficulties urinating
  - having frequent urinary, menstrual or stomach problems
  - avoiding physical exercise
  - being repeatedly absent from HTAE, or absent for a prolonged period
  - demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
  - being reluctant to undergo any medical examinations
  - asking for help, but not being explicit about the problem
  - talking about pain or discomfort between her legs

**Potential signs that a learner may be at risk of FGM include:**

- the girl's family having a history of practicing FGM (this is the biggest risk factor to consider)
- FGM being known to be practiced in the girl's community or country of origin
- a parent or family member expressing concern that FGM may be carried out
- a family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- a girl:
  - having a mother, older sibling or cousin who has undergone FGM
  - having limited level of integration within UK society
  - confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman".
  - talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
  - requesting help from a tutor or another adult because she is aware or suspects that she is at immediate risk of FGM

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- talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
- being unexpectedly absent from HTAE
- having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

### **Forced marriage.**

Forcing a person into marriage is a crime. A forced marriage is one entered in to without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e., we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a learner is being forced into marriage, they will speak to the learner about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- speak to the learner about the concerns in a secure and private place
- activate the local safeguarding procedures and refer the case to the local authority's designated officer
- seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk). Seek advice from the Police on 101

### **Preventing radicalisation**

- Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- Terrorism is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious, or ideological cause.

HTAE have a duty to prevent children from being drawn into radicalisation. All staff and the safeguarding Governor will undertake Prevent awareness training to equip them to identify children at risk. We will assess the risk of children in our HTAE centres being drawn into radicalisation. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding partners and local police force.

We will ensure that suitable internet filtering is in place and equip our learners to stay safe online at HTAE and at home.

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There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period. Staff will be alert to changes in learners' behaviour. The government website Educate Against Hate and charity NSPCC says that signs that a learner is being radicalised can include:

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities, they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a learner, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL who may make a Prevent referral. Staff should always take action if they are worried.

### **Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff.

If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.

Visitors are expected to sign the visitors' book and wear a visitor's badge.

Visitors to HTAE who are visiting for a professional purpose, such as educational psychologists, external professionals supporting HTAE learners, including external staff carrying out SEND assessments will be asked to show photo ID and:

- will be asked to show their DBS certificate, which will be checked alongside their photo ID;
- or

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- the organisation sending the professional, such as the LA or educational psychology service, will provide prior written confirmation that an enhanced DBS check with barred list information has been carried out

All other visitors, including visiting speakers, will be always accompanied by a member of staff. We will not invite into HTAE any speaker who is known to disseminate extremist views and will carry out appropriate checks to ensure that any individual or organisation using HTAE facilities is not seeking to disseminate extremist views or radicalise learners or staff.

### Missing learners

Our procedures are designed to ensure that a missing learner is found and returned to effective supervision as soon as possible. If a learner goes missing, we will:

- notify parents/carers as soon as possible
- contact the police if we suspect the learner is at risk of harm or are unable to contact parents/carers
- attempt to contact the learner to establish his/her whereabouts via his/her mobile or with the help of friends via mobiles/social media after taking advice from external authorities.

### Modern slavery

Modern slavery can include:

domestic servitude.

sexual exploitation.

forced marriage.

child exploitation.

Criminal exploitation

debt bondage.

forced labour.

organ harvesting.

This list is not exhaustive – the image is taken from a government publication and shows common areas where labour exploitation takes place.

### What to look for

- situations where you do not know who holds parental responsibility (see also private fostering);
- children missing from education and/or home.
- unbelievable or surprising accounts of how they are in the country.
- intimidation of people at risk.
- parents working without pay.
- children being involved in inappropriate work.
- injuries.
- tattoos or other marks indicating 'ownership';
- distrust of authority.

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- indicators of child exploitation.
- Information icon
- Barriers

#### Potential victims may:

- be reluctant to come forward with information.
- not recognise themselves as having been trafficked, exploited or enslaved.
- tell their stories with obvious errors.

It's not uncommon for perpetrators to provide stories for victims to tell if approached by the authorities. Errors or unrealistic stories may be because they have had to memorise false histories that have been composed by others.

Other indicators may include those relating to physical health, sexual health and emotional health, with these being broadly similar to those relating to general safeguarding concerns where a person is being exploited (child or adult).

#### What to do

Modern slavery of children is child abuse, therefore normal child protection procedures apply.

- Refer to children's services or the police as a 'first responder'.
- Ensure they follow the National Referral Mechanism to assess next steps.
- Follow your safeguarding procedures in relation to any other risks.

#### Resources

<http://theintranet.hullcc.gov.uk/document-search-results?keywords=modern%20slavery>

<https://www.gov.uk/government/collections/modern-slavery>

Including information on:

Modern slavery strategy

Modern slavery training: resource page

Modern slavery: duty to notify

Modern Slavery Act 2015

Modern slavery victims: referral

#### Knife crime

Knife crime is on the rise nationally and this includes our locality. Our procedures help to ensure that we work together to identify and support learners who may be at risk of knife crime, making reference to the relevant recommendations in Safeguarding Children and Young People in Education from Knife Crime, March 2019.

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## Upskirting

KCSiE 2023 describes this as: “Upskirting’ typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to gain sexual gratification, or cause the victim humiliation, distress, or alarm. It is now a criminal offence. Anyone of any gender, can be a victim.” As such, HTAE will treat any actions of this nature as a serious incident and will follow the advice of the police and EHASH

## Domestic Abuse and IPV (Intimate Partner Violence)

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour.

Under the statutory definition, both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be “personally connected” (as defined in section 2 of the 2021 Act). Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child to parent abuse. Anyone can be a victim of domestic abuse, regardless of sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home. All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members.

Experiencing domestic abuse can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Young people can also experience domestic abuse within their own intimate relationships.

This form of child-on-child abuse is sometimes referred to as ‘teenage relationship abuse’. Depending on the age of the young people, this may not be recognised in law under the statutory definition of ‘domestic abuse’ (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures will be followed and both young victims and young perpetrators will be offered support.

Where HTAE has been made aware that a learner has been affected by domestic abuse, they will be monitored and supported where appropriate. This will always be done sensitively and confidentially.

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