**Keeping Children Safe in Education - 3 Minute Read (Update)**

**What is it and what does it mean for you?**

 ‘Keeping children safe in education’ (KCSIE) 2019 is statutory guidance from the DfE, which schools must have regard to while carrying out their duties to safeguard and promote the welfare of children – it replaces KCSIE 2018.

This guidance is for governing boards and staff of maintained schools and colleges, proprietors of independent schools (including free schools, academies and alternative provision academies) and management committees of PRUs, further education and sixth-form colleges.

Safeguarding and promoting the welfare of children is everyone’s responsibility and all professionals should ensure that their approach is child-centred, considering the best interests of the child at all times.

Everyone who comes into contact with children has a role to play in identifying concerns, sharing information and taking prompt action.

**NB.** ‘Children’ includes everyone under the age of 18.

**We have updated this 3-Minute Read with the changes outlined in 'Keeping children safe in education' 2019, including the minor updates made in October 2019. Any updates are outlined in the notes of relevant slides.**

**The role of staff**

 Staff have a responsibility to provide a safe environment in which pupils can learn.

Staff are in a position to identify any safeguarding concerns early, provide help and prevent concerns from escalating.

Staff should be prepared to identify pupils who may benefit from early help, i.e. support provided as soon as a problem emerges.

If a staff member has a concern about a child, they should follow the referral process outlined in KCSIE (paragraphs 35-47) and expect to support social workers and other agencies following any referral.

All schools should have a DSL who provides support to staff to carry out their duties in relation to safeguarding. The DSL, and any deputies, are most likely to have a complete safeguarding picture and will be the most appropriate individuals to advise on the response to safeguarding concerns.

The ‘[Teachers’ Standards](https://www.gov.uk/government/publications/teachers-standards)’ state that teachers, including headteachers, should safeguard children’s wellbeing and maintain public trust in the teaching profession as part of their professional duties.

**What do staff need to know?**

 Staff need to be aware of the systems and procedures in place that support safeguarding, including the **Child Protection and Safeguarding Policy**, **Behavioural Policy**, **Staff Behaviour Policy**, response to **children who go missing from education**, and the **role and identity of the DSL**and any deputies. This information should be provided to staff during their induction, alongside part 1 of KCSIE.

Staff should receive appropriate safeguarding training which is regularly updated. Additional safeguarding updates should also be provided to staff at least annually.

Staff should be aware of their local early help process and understand their role within this.

Staff should know how to make a referral to children’s social care services for assessments under the Children Act 1989.

If a child reports they are being abused or neglected, staff should know what to do and how to manage the requirement to maintain an appropriate level of confidentiality – this means only involving those who need to be involved. Staff should never promise a child they will not tell anyone about the report of abuse.

**What should staff look out for?**

Staff should:

* Be aware of the potential need for early help for a child who has certain characteristics, such as SEND, a pupil frequently missing from home or a pupil at risk of being radicalised or exploited (a full list of these characteristics can be found on p.7-8 of KCSIE).
* Be aware of signs of abuse to identify those who may need help or protection. Advice from the [DfE](https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2) and [NSPCC](https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/) can help with understanding these signs.
* Know that if they are unsure whether they should be concerned about a child, they should speak to the DSL or any deputies.
* Maintain an attitude of ‘it could happen here’ where safeguarding is concerned and always act in the best interests of the child.

**Reporting concerns**

 Staff should act immediately when they have a concern about a child – they should follow their school’s safeguarding policy and speak to the DSL or any deputies, or another senior member of staff if they are not available. It will then be decided if the support can be managed internally by the school, if an early help assessment is needed, or if a referral for statutory services is necessary.

If the situation does not improve after a referral, the member of staff that made the referral should press for reconsideration to ensure concerns have been addressed.

If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an assessment as appropriate.

If the concern relates to FGM or the child is in immediate danger or at risk of harm, the police should be contacted. Teachers have a legal duty to report concerns regarding FGM.

All concerns, discussions and decisions made, as well as the reasons for those decisions, should be recorded in writing. If in doubt about these recording requirements, staff should discuss it with the DSL.

If staff members have a concern about a colleague, this should be referred to the headteacher. If the concern is about the headteacher, the concern should be reported to the chair of governors. If an allegation is made against a headteacher who is the sole proprietor of an independent school, allegations should be reported directly to the designated officer in the LA.

If there are concerns about safeguarding practices within a school, staff should raise the  issue with the SLT or follow other [whistleblowing channels](https://www.gov.uk/whistleblowing) if necessary.

The child’s wishes should be taken into account when determining what action to take after a concern has been raised. Systems should be in place for children to express their views and give feedback.

**Types of abuse and neglect**

**Abuse:**A form of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm or by failing to act to prevent harm.

**Physical abuse:**A form of abuse which may involve actions such as hitting, shaking or throwing. Physical abuse may also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse:**A form of abuse which involves the emotional maltreatment of a child such as to cause severe and adverse effects on the child’s emotional development. This may involve telling a child that they are worthless, unloved or inadequate, or not giving the child the opportunity to express their views. Emotional abuse can also include cyberbullying, or frequently making them feel as though they are in danger.

**Sexual abuse:**A form of abuse that involves enticing a child to take part in sexual activities, whether the child is aware of what is happening or not. This can involve physical contact through penetrative activities, or non-penetrative actions such as looking at sexual images or grooming a child.

**Neglect:**A form of abuse which involves a persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in serious impairment of a child’s health or development.

**Specific safeguarding issues**

Staff should be aware of safeguarding issues that can put children at risk of harm – such as drug taking, alcohol abuse, deliberately missing education and ‘sexting’.

Staff should be aware that safeguarding issues can manifest themselves via peer-on-peer abuse. This is most likely to include bullying (including cyberbullying), physical abuse, sexual violence and sexual harassment, ‘upskirting’, sexting, and initiation/hazing type violence and rituals.

Staff should be clear on the school’s policy regarding peer-on-peer abuse.

Assessments of children should consider the wider environmental factors affecting the child’s life that may pose a threat to their safety and/or welfare – this is known as contextual safeguarding. Schools should provide as much contextual information as possible as part of the referral process.

**Children in the court system**

* There are two age-appropriate guides to support children involved in court proceedings – one for [5 to 11-year-olds](https://www.gov.uk/government/publications/young-witness-booklet-for-5-to-11-year-olds) and one for [12 to 17-year-olds](https://www.gov.uk/government/publications/young-witness-booklet-for-12-to-17-year-olds).

**Children missing from education**

* Children going missing from education can act as a vital warning sign of a range of safeguarding concerns.
* Early intervention is necessary to identify the existence of any underlying safeguarding risk and prevent the risks of a child going missing in the future.

**Children with family members in prison**

* [NICCO](https://www.nicco.org.uk/directory-of-resources) provides information designed to support professionals working with offenders and their children.

**Child sexual exploitation (CSE)**

* CSE is a form of sexual abuse where children are sexually exploited for money, power or status. It can often involve violent, humiliating and degrading sexual assaults and, in some cases, children are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status.
* Common signs include children who:
  + Associate with other young people involved in exploitation.
  + Have older boyfriends or girlfriends.
  + Suffer from sexually transmitted infections or become pregnant.
  + Suffer from changes in emotional wellbeing.
  + Misuse drugs and alcohol.
  + Go missing for periods of time or regularly come home late.
  + Regularly miss school or do not take part in education.

**Child criminal exploitation – county lines**

* This refers to drug networks or gangs grooming and exploiting children to carry drugs and money from urban areas to suburban areas, rural areas and market and seaside towns.
* The key to identifying potential involvement in county lines are missing episodes, where the victim may have been trafficked for the purpose of transporting drugs – a referral to the [National Referral Mechanism](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales#how-to-refer-cases-to-the-nrm) should be considered.

**Domestic abuse**

* The [NSPCC](https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/domestic-abuse/signs-symptoms-effects/), [Refuge](http://www.refuge.org.uk/get-help-now/support-for-women/what-about-my-children/) and [SafeLives](http://www.safelives.org.uk/knowledge-hub/spotlights/spotlight-3-young-people-and-domestic-abuse) all have advice on how children who are affected by domestic abuse can be identified and supported.

**Homelessness**

* The DSL and their deputies should be aware of contact details and referral routes into the Local Housing Authority so they can raise and progress concerns at the earliest opportunity.
* In some cases, 16 and 17-year-olds could be living independently from their parents or guardians (e.g. through exclusion from their home), and will require a different level of intervention and support than the context of homeless children who live with their families.

**‘Honour-based’ violence (HBV)**

* HBV involves crimes which have been committed to protect or defend the honour of the family and community including FGM, forced marriage and breast ironing.
* All forms of HBV are abuse and should be treated as such by schools. If in any doubt, staff should speak to the DSL for guidance.
* Guidance on warning signs of FGM or forced marriage as HBV can be found in the ‘[Multi-agency statutory guidance on FGM](https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation)’ and the ‘[Forced marriage](https://www.gov.uk/guidance/forced-marriage#guidance-for-professionals)’ guidance.
* Local safeguarding procedures should be activated if a staff member has concerns regarding HBV. Where FGM has taken place, teachers must personally report the case to the police, though this does not apply for suspected or ‘at risk’ cases, or where the victim is over 18; in such cases, staff should follow local safeguarding procedures.

**Peer-on-peer abuse**

* Sexual violence and sexual harassment can occur between children of any age and sex.
* The DfE has published advice for schools and colleges on how to prevent and respond to reports of sexual violence and harassment between children – this can be found [here](https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges).
* How schools should respond to cases of peer-on-peer abuse is outlined later in this 3-Minute Read.

**Serious violence**

* All staff need to be aware of indicators that may signal a pupil is at risk from, or is involved with, serious violent crime.
* These indicators 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, or unexplained gifts or new possessions.
* All staff should be aware of the associated risks and understand the measures in place to manage these risks.
* Further advice can be found in the Home Office’s ‘[Preventing youth violence and gang involvement](https://www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence)’ guidance and its ‘[Criminal exploitation of children and vulnerable adults: county lines](https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines)’ advice.

**Preventing radicalisation**

* Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism.
* Under The Counter-Terrorism and Security Act 2015, schools have a specific duty to have due regard to the need to prevent young people being drawn into terrorism (the ‘Prevent’ duty).
* Schools are expected to assess the risk of children being drawn into terrorism, which means they need to understand the potential risks and how to support them.
* Safeguarding arrangements should take into account the policies and procedures of local safeguarding arrangements.
* As part of the changes, LAs are expected to ensure ‘Channel panels’ are in place. These panels will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, and provide support to those individuals.
* Schools are required, as partners of the Channel programme, to cooperate with the panel and the police in undertaking the initial assessment as to whether a referral is appropriate.
* Schools should engage with parents, carers and families to spot signs of radicalisation.
* Any concerns of radicalisation should be discussed with children’s parents where appropriate, in line with the school’s safeguarding policy.

**Safeguarding policies**

**Governing boards and proprietors:**

* Must ensure compliance with safeguarding duties, and make sure that policies, procedures and training are effective and in accordance with the law.
* Should have a senior board member take leadership and responsibility for their school’s safeguarding arrangements.
* Should ensure there are policies and procedures in place to support safeguarding. This should include individual schools having an effective safeguarding policy, staff behaviour policy and a procedure to deal with children missing from education (where possible, schools should hold more than one emergency contact number for each pupil).
* Should ensure safeguarding policies cover peer-on-peer abuse, including the procedures to minimise the risk of peer-on-peer abuse, how allegations will be recorded and the different forms peer-on-peer abuse can take. (A full list can be found in paragraph 27 of KCSIE)
* Should take a proportionate risk-based approach to the level of information provided to temporary staff and volunteers.

**Headteachers and principals**should ensure that safeguarding-related policies and procedures are followed by all staff.

**The DSL**

 Governing boards and proprietors should ensure an appropriate member of staff from the SLT is appointed as the DSL. The DSL’s role to take lead responsibility for safeguarding should be explicit in the job description.

Schools can decide if they want to appoint one or more deputy DSL – they should be trained to the same standard as the DSL and the role should be explicit in their job description.

The DSL and any deputies should liaise with the LA and work with other agencies in line with ‘[Working Together to Safeguard Children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)’.

During term time, the DSL and deputies should always be available during school hours so any concerns can be discussed. Appropriate cover should be in place for any activities taking place outside of school hours and absence.

The DSL and deputies should undertake appropriate training every two years. In addition to formal training, their knowledge and skills should be updated at regular intervals and at least annually.

**Multi-agency work and information sharing**

 Schools should work with social care, the police, health services and other services to protect children and promote their welfare.

Schools should allow access for children’s social care to conduct, or to consider whether to conduct, a section 17 or section 47 assessment.

Safeguarding arrangements should understand and reflect local protocols for assessment, alongside supplying any information required by local safeguarding arrangements.

The importance of information sharing between professionals and other agencies should be recognised in order to meet children’s needs. Although the GDPR and Data Protection Act 2018 places duties on schools to process personal information fairly and lawfully, it is not a barrier to sharing information where failing to do so would put the child at risk of harm. Staff should speak to the DSL or any deputies if they are in doubt about sharing information.

Staff should be proactive in sharing information as early as possible, whether this is where problems are first emerging or where a child is already known to children’s social care.

Where a child is leaving a school, the DSL should ensure their child protection file is securely transferred to the new school or college as soon as possible. The DSL should also consider if it would be appropriate to share any information with the new school or college in advance of the child leaving.

Whilst inter-agency working and information sharing are vital in identifying and tackling all forms of abuse, schools should recognise their particular importance in identifying and preventing CSE.

**Safeguarding partners**

 Schools and colleges play a pivotal role in multi-agency safeguarding arrangements. Governing boards and proprietors should ensure that the school or college contributes to multi-agency working in line with ‘Working Together to Safeguard Children’.

Schools and colleges need to understand their role in the new safeguarding partner arrangements.

New safeguarding partners and child death review partner arrangements are in place from 29 September 2019. The three local safeguarding partners (the LA, a clinical commissioning group from within the LA, and the chief of police for a police area in the LA) will make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

Governing boards, proprietors, management committees and their SLTs, especially DSLs, should be aware of and follow their new local arrangements.

The three safeguarding partners should make arrangements to allow all schools and colleges in their area to be fully engaged, involved and included in the new safeguarding arrangements. It is expected that the partners will name schools and colleges as relevant agencies.

If a school or college is named as a relevant agency, they must cooperate with the published safeguarding arrangements.

**Staff training, online safety, teaching safeguarding and Ofsted**

 All staff members should undergo safeguarding and child protection training during their induction, and this should be regularly updated. Staff should also receive regular child protection and safeguarding updates as required, but at least annually.

Staff should be provided with opportunities to contribute to, and shape, safeguarding arrangements and child protection policies.

Children must be protected from potentially harmful and inappropriate online material. To do so, appropriate filters and monitoring systems should be in place.

Governing boards must ensure that children are taught about safeguarding, including online safety, through teaching and learning opportunities, as part of a broad and balanced curriculum.

With reference to online safety, governing boards should ensure that applying filters does not create ‘over blocking’, which leads to unreasonable restrictions on what children are taught.

Ofsted will always report on whether arrangements for safeguarding and child protection are effective.

**Referral to the DBS**

 Procedures should be in place to handle allegations against staff, and these should be referred to the designated officers at the LA.

Schools and colleges have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a pupil where:

* The harm test is satisfied in respect of that individual.
* The individual has received a caution or conviction for a relevant offence, or if there is reason to believe they have committed a relevant offence.
* The individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed if they had not left.
* The individual is deployed to another area of work that is not in regulated activity, or they are suspended.

Referrals should be made as soon as possible, and ordinarily on conclusion of an investigation, when an individual is removed from regulated activity.

When an allegation is made, an investigation should be carried out to gather enough evidence to establish if it has foundation, and employers should ensure they have sufficient information to meet the [referral duty criteria](https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs).

**LAC and pupils with SEND**

LAC and previously LAC are a particularly vulnerable group; therefore, it is important that schools take prompt action when necessary to safeguard these children.

A designated teacher must be appointed to promote the educational achievement of LAC and previously LAC, and appropriate training must be provided.

In maintained schools and academies, the designated teacher should work with the virtual school head to discuss the use of the pupil premium to support LAC and previously LAC in the school. In other schools and colleges, an appropriately trained teacher should take the lead.

DSLs should have details of the LA’s personal advisors appointed to guide and support a care leaver, and should liaise with them as necessary.

Safeguarding policies should reflect the fact that children with SEND face additional safeguarding challenges and, therefore, additional barriers can exist when recognising abuse and neglect. Such barriers include the following:

* Assumptions that indicators of possible abuse are simply related to the child’s SEND
* Children with SEND being disproportionally impacted by bullying
* Communication barriers

**Reasonable force**

 ‘Reasonable force’ means using no more force than is needed to safeguard children. The decision to use reasonable force to control or restrain a child should be based on professional judgement and made on a case-by-case basis.

The adoption of a ‘no contact’ policy can leave staff unable to fully support pupils. Schools are encouraged to adopt sensible policies that allow staff to make appropriate physical contact.

When using reasonable force in response to circumstances involving children with SEND or medical conditions, schools should consider the risks carefully and recognise the additional vulnerability of these groups.

More information on the use of reasonable force in schools can be found [here](https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools).

**Safer recruitment - types of check**

 The level of DBS certificate required, as well as prohibition checks, depends on the role and duties of an applicant. For most appointments, an enhanced DBS certificate including barred list information is required, as most will be engaging in regulated activity.

Those that have the opportunity for regular contact with children, but who are not engaging in regulated activity, are required to obtain an enhanced DBS certificate without barred list information. Supervised volunteers who regularly teach or look after children are not in regulated activity.

Additional checks are required for those appointed to teach children to ensure they are not prohibited from doing so.

If a school allows an individual to engage in regulated activity before a DBS certificate is available, they should ensure that the individual is appropriately supervised and that all other checks have been completed.

Most governors of maintained schools are only required to have an enhanced DBS check without barred list. Schools are strongly recommended to contact The Teacher Regulation Agency (TRA) Teacher Services to check if a proposed governor is barred as a result of being subject to a section 128 direction.

Checks to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2018 should be conducted for those who work in childcare provision.

References should also be obtained, ideally before the interview – they should preferably be from a senior person from the candidate’s current role.

**Pre-appointment checks**

Any offer of new appointments should be conditional on satisfactory completion of the necessary pre-employment checks.

**Schools must:**

* Verify a candidate’s identity.
* Obtain an enhanced DBS certificate – including barred list information for those in regulated activity.
* Obtain a separate barred list check for those that will start work in regulated activity before the DBS certificate is available.
* Verify the candidate’s mental and physical fitness to carry out their role.
* Verify the candidate’s right to work in the UK.
* Make any appropriate further checks if the candidate has lived or worked outside the UK.
* Verify professional qualifications, as appropriate.

Independent schools, including free schools and academies, must also check that a person taking up a management position is not subject to a section 128 direction.

MATs must maintain the SCR detailing checks carried out in each academy in the trust. The information should be recorded in such a way that allows for details for each academy to be provided separately for inspection.

**Single central record (SCR)**

 Schools must keep an SCR which must cover all staff members, and all members of the proprietor body in independent schools.

The record must state if the following checks have been carried out or certificates obtained, and the date on which they were completed:

* An identity check
* A barred list check
* An enhanced DBS check
* A prohibition from teaching check
* A section 128 check, where appropriate
* Further checks on people living or working outside the UK
* A check for professional qualifications
* A check to establish the person’s right to work in the UK

Additionally, colleges must record whether the person’s position involves ‘relevant activity’ – i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18.

Guidance regarding further specific checks and information required for certain individuals, including volunteers, governors and existing staff, is detailed on pages 44-52 of KCSIE 2019.

**Allegations of abuse made against staff**

 The procedure that should be used to manage allegations of abuse against staff applies to all teachers and members of staff (including volunteers) who have allegedly:

* Behaved in a way that has harmed, or may have harmed, a child.
* Committed a criminal offence against, or related to, a child.
* Behaved in a way that indicates they may pose a risk of harm if they worked with children.

Schools should provide effective support for anyone facing allegations and make sure that the procedure is dealt with in a quick, fair and consistent manner, in order to protect the child and also to support the person who is subject to an allegation.

If the allegation is serious, it must be immediately referred to the children's social care and/or the police. The LA’s designated officer for child protection concerns should be informed so that they may consult police and children’s social care as appropriate.

Allegations against a teacher who is no longer teaching and historical allegations of abuse should be referred to the police.

The headteacher, chair of governors or proprietor of an independent school (the ‘case manager’) should discuss the allegation with the designated officer to consider the allegation and decide on a course of action.

If no further action needs to be taken, this should be recorded by the designated officer and the case manager, who should agree on what will be written to the individual concerned and what action should be followed in respect to those who made the allegation.

If it is necessary to involve the police or children’s social care services, the case manager should disclose information to the accused only after the concerned agencies have been consulted.

If there are reasons to suspect a child is suffering from, or is likely to suffer from, significant harm, a strategy discussion with the police should take place.

According to the evidence available, and after having performed an in-depth investigation, the designated officer and the case manager should decide on a course of action, which could range from taking no further action to dismissal, or a decision not to use the person’s services. The individual should be suspended only if there is no reasonable alternative.

Individuals facing allegations should be informed of concerns and given the likely course of action as soon as possible, unless the police or children’s social care services object to it.

A named representative should be appointed by the case manager to consider support for the individual and keep them informed on the progress of the case.

Parents should be kept informed about the allegation and updated on the progress of the case and the outcome.

The school is required to make every effort to maintain confidentiality during the investigation of an allegation. There are reporting restrictions preventing the publication of any material that may lead to the teacher or staff member being identified.

The case manager should take advice from the designated officer, the police and the children’s social care services on who needs to be informed and what information can be shared, how to respond to press interest, manage gossip and know what information can be given to the community to reduce speculation.

**Managing the situation and exit arrangements**

 If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with KCSIE. **A referral to the DBS must be made, if the criteria are met.**

Details of malicious allegations should be removed from records. For other allegations, a comprehensive summary of case proceedings and actions taken should be kept on the confidential personnel file of the accused and a copy provided to the person concerned.

Schools are obliged to preserve records which contain information about allegations of sexual abuse for the [Independent Inquiry into Child Sexual Abuse](https://www.iicsa.org.uk/), for the term of the inquiry.

All allegations should be investigated as a priority. 80 percent of cases should be resolved within a month, 90 percent within three months and, exceptionally, within 12 months. Unsubstantiated cases of allegations should be dealt within one week.

The designated officer will oversee the procedures for dealing with allegations, monitor the progress of a case, provide advice to the case manager, liaise with appropriate age

**Specific actions**

 The police should inform the designated officer and the employer when a criminal investigation and trial is complete, or if it has decided to close an investigation without charge, or continue with prosecution after the person has been charged.

If the person is dismissed, resigns or ceases to work with the employer, the designated officer should discuss with the case manager whether the school will make a referral to the DBS for consideration of inclusion on the barred list.

If a suspended person returns to work, the case manager has to consider how to facilitate it, for example, with a phased return or by providing a mentor to support the individual.

If an allegation is found to be deliberately malicious or invented, the headteacher or proprietor should consider whether disciplinary action is appropriate against the individual who made it.

While concluding a case where an allegation is substantiated, the circumstances should be reviewed to determine whether any improvements can be made to help prevent similar events in the future.

**Peer-on-peer abuse - the immediate response to a report**

 All staff should be trained to manage a report of peer-on-peer abuse – this includes the following:

* Not promising confidentiality to the victim at this stage but only sharing information with the people necessary to progress the report
* Recognising a child is likely to disclose to someone they trust – placing them in a position of trust
* Listening carefully to the child whilst maintaining clear boundaries during a disclosure
* Considering the best way to make a record of the report – best practice is to wait until the end of the report and immediately write up a thorough summary
* Only recording the facts as the child presents them
* Where the report includes an online element, being aware of [searching, screening and confiscation](https://www.gov.uk/government/publications/searching-screening-and-confiscation)advice and [UKCCIS](https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis) sexting advice
* Managing the report with two members of staff present, where possible
* Informing the DSL or any deputies as soon as possible

Where a report of sexual violence is made, the DSL should conduct an immediate risk assessment – this should be done on a case-by-case basis for reports of sexual harassment. Professional risk assessments may also be necessary, especially in cases of sexual violence.

**Options to manage a report of peer-on-peer abuse**

**Manage internally**– in some cases, e.g. one-off incidents, the school may decide to handle the incident internally, perhaps through their behaviour and bullying policies and by providing pastoral support.

1. **Early help**– the school may decide that statutory interventions are not required, but the children may benefit from early help. This approach can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent escalation.
2. **Referral to children’s social care** – this approach should be taken if a child has been harmed, is at risk of harm or is in immediate danger. If children’s social care decides that a statutory investigation is not appropriate, the school should consider referring the incident again if they believe the child to be in immediate danger or risk of harm. Other support should be considered by the school where they agree with the decision made by children’s social care.
3. **Reporting to the police** – reports of rape, assault by penetration or sexual assault should be passed to the police; generally, this will be in parallel with referral to children’s social care. The DSL and deputies should follow the local process for referral. In some cases, the police will not take further action – in these circumstances, it is important that the school continues to engage with specialist support for the victim as required.

**Reports of peer-on-peer abuse made to the police**

 Schools should work with children’s social care and the police to support the victim, alleged perpetrator and other children during criminal investigations.

Where police bail is deemed necessary, the school should work with children’s social services and the police to safeguard children, ensuring the victim can continue in their normal routine.

Schools should not wait for the start or outcome of criminal proceedings before protecting the victim, but the DSL should work closely with the police to ensure the school does not jeopardise any criminal proceedings.

Risk assessments should be updated if the alleged perpetrator receives a caution or is convicted. The school should ensure the victim and perpetrator remain protected from bullying and harassment if there is a conviction.

If the perpetrator remains in the same school as the victim, the school should set out clear expectations of the perpetrator.

Where the alleged perpetrator is found not guilty or a case is classed as requiring “no further action”, the school should offer support to the victim and alleged perpetrator for as long as necessary.

**Safeguarding and supporting victims of peer-on-peer abuse**

 Any decisions regarding safeguarding and supporting the victim should be made with the following considerations in mind:

* The terminology used to describe the victim
* The age and developmental stage of the victim
* The needs and wishes of the victim
* Whether the victim wishes to continue in their normal routine
* The victim should not be made to feel ashamed about making a report
* What a proportionate response looks like

Schools should ask the victim if they would find it helpful to have a designated trusted adult to talk to about their needs.

If the victim moves to another education institution, the DSL should ensure that the new institution is aware of any ongoing support needs.

**Safeguarding and supporting alleged perpetrators of peer-on-peer abuse**

When considering the support required for an alleged perpetrator, schools should take into account:

* The terminology used to describe the alleged perpetrator or perpetrator.
* The balance of safeguarding the victim and providing the alleged perpetrator with education and support.
* The reasons why the alleged perpetrator may have abused the victim.
* Their age and developmental stage.
* What a proportionate response looks like.
* Whether the behaviour is a symptom of their own abuse or exposure to abusive practices and/or materials.

When making a decision, advice should be taken from children’s social care, specialist sexual violence services and the police as appropriate.

If the alleged perpetrator moves to another school, the DSL should information the destination school of any ongoing support needs and transfer the child protection file.