

# ST THOMAS'S CENTRE SAFEGUARDING CHILDREN AND CHILD PROTECTION POLICY



Adopted by: **Management Committee**

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Designated Safeguarding Lead: **Hilary Lord**

Deputy Designated Safeguarding Lead: **Janet Donnelly**

Head Teacher: **Joanne Siddle**

Nominated Governor: **Cllr Pat McFall**

**The Designated Safeguarding Lead is:** Hilary Lord

Contact email: [hlord@stthomas.blackburn.sch.uk](mailto:hlord@stthomas.blackburn.sch.uk) tel: 01254 680523

**The deputy Designated Safeguarding Lead is:** Janet Donnelly

Contact email: [JDonnelly@stthomas.blackburn.sch.uk](mailto:JDonnelly@stthomas.blackburn.sch.uk) tel: 01254 958401

**Other Designated Leaders are:**

**Sue Armson:** [sarmson@stthomas.blackburn.sch.uk](mailto:sarmson@stthomas.blackburn.sch.uk) tel: 01254 680523

**France Dore:** [fdore@stthomas.blackburn.sch.uk](mailto:fdore@stthomas.blackburn.sch.uk) tel: 01254 680523

**Trish Walker:** [mwalker@stthomas.blackburn.sch.uk](mailto:mwalker@stthomas.blackburn.sch.uk) tel: 01254 680523

**Charlotte Rolfe:** [crolfe@stthomas.blackburn.sch.uk](mailto:crolfe@stthomas.blackburn.sch.uk) tel: 01254 958401

**David England:** [dengland@stthomas.blackburn.sch.uk](mailto:dengland@stthomas.blackburn.sch.uk) tel: 01254 958401

**The nominated safeguarding and child protection governor is** Cllr Pat McFall

**The Head Teacher is** Jo Siddle

Contact email: [jsiddle@stthomas.blackburn.sch.uk](mailto:jsiddle@stthomas.blackburn.sch.uk) tel: 01254 680523

**The LA Designated Officer for Blackburn with Darwen is:** Megan Dumpleton

Contact email: [megan.dumpleton@blackburn.gov.uk](mailto:megan.dumpleton@blackburn.gov.uk) tel: 01254 585184

**Blackburn with Darwen – Multi-Agency Safeguarding Hub (MASH): 01254 666400**

**Blackburn with Darwen – Emergency Duty Team: 01254 587547 (out of office hours)**

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## 1. Policy Statement and Principles

This policy is one of a series in the school's integrated safeguarding portfolio. The schools Whistleblowing Policy and Behaviour Policy can be accessed by staff via the schools O drive – Policies Safeguarding & Child Protection Statement

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

Where it is believed that a child is at risk of or is suffering significant harm, the school will follow the procedures set out in the Blackburn with Darwen Local Safeguarding Children Board (LSCB) Procedures.

These are available in electronic form at: <http://www.lscb.org.uk>

### Our core safeguarding principles are:

- The school's responsibility to safeguard and promote the welfare of children is of paramount importance
- Safer children make more successful learners
- Representatives of the whole-school community of pupils, parents, staff and governors will be involved in policy development and review
- Policies will be reviewed at least annually

### Policy Aims

- To provide all staff with the necessary information to enable them to meet their child protection responsibilities
- To ensure consistent good practice
- To demonstrate the school's commitment with regard to child protection to pupils, parents and other partners
- To contribute to the school's safeguarding portfolio

**Prevention:** St Thomas's Centre is committed to early help and identification of unmet needs and vulnerabilities. The school works in partnership with other agencies to promote the welfare of pupils and keep children safe.

**Protection:** All staff and volunteers are trained to recognise and respond to abuse and neglect. All staff and volunteers are expected to be vigilant and must act quickly when they suspect a child is suffering, or is likely to suffer harm (in line with the Local Safeguarding Children Board procedures).

**Support:** Our school acknowledges the sensitivity and complex nature of safeguarding and child protection and therefore ensures that pupils, staff and families are supported appropriately.

At St Thomas's we recognise that effective safeguarding systems are those which:

- Put the child's needs first;
- Provide children with a voice;

- Promote identification of early help;
- Encourage multi-agency working and sharing of information.

### Terminology

**Safeguarding and promoting the welfare of children** refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes (**Working Together to Safeguard Children 2015**).

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm (**Children Act 1989**).

**Staff** refers to all those working for or on behalf of the school, full time or part time, in either a paid or voluntary capacity.

**Child** refers to all young people who have not yet reached their 18th birthday.

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents or legal guardian

## 2. Statutory Guidance

Education Act 2002: Section 175 of the Education Act 2002 requires local education authorities and the governors of maintained schools and further education (FE) colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

Section 157 of the same act and the Education (Independent Schools Standards) (England) Regulations 2003 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

Working Together to Safeguard Children 2015 sets out organisational responsibilities for schools and colleges and this applies to maintained, independent, academies, free schools and alternative non provision academies

Keeping children safe in education: Statutory guidance for schools and colleges 2016 was issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. This contains information on what schools and colleges **should** do and sets out the legal duties with which schools **must** comply.

The Local Safeguarding Children Board (LSCB) from time to time will want to monitor schools compliance with their duties by way of a self-assessment audit. This audit will form a key part of local evidence and can be used by schools to identify improvements they require in their safeguarding arrangements.

## 3. Roles and Responsibilities

Safeguarding and promoting the welfare of children is everybody's responsibility.

Simplistically this is done by following the 4 R's:

- **Recognise** – unmet needs, abuse and harm
- **Respond** – alert the Designated Safeguarding Lead (DSL) and/or Children's Services
- **Record** – ensure records are kept up-to-date and secure
- **Refer** – share information and refer to external agencies to safeguarding and protect children from harm

**All staff (including governors):**

- Will have children's safeguarding training appropriate to their role and responsibility which is regularly updated. In addition all staff members should receive at least annual updates which can be in the form of emails, bulletins, staff meetings/discussion;
- Should be aware of the signs of abuse and neglect;
- Should be aware of how to respond to specific safeguarding concerns as outlined in this policy;
- Have a responsibility to identify those children who may require early intervention support and what action to take to ensure they are supported appropriately;
- Have a responsibility to identify and respond to a child who is or likely to suffer significant harm and what action they must take, appropriate to their role;
- Must be aware of the importance of multi-agency partnership working and information sharing processes;
- Who work directly with children and can contribute to early support and safeguarding assessments must be aware of the risk sensible approach to safeguarding adopted in Blackburn with Darwen (BwD);
- Have a responsibility to provide a safe environment in which children can learn.

**The governing body will ensure that:**

- The school complies with their duties under legislation;
- The school contributes to multi and interagency working in line with Working Together to Safeguard Children 2015. This includes early help, child in need and child protection assessments (see Chapter 5);
- There are appropriate safeguarding/child protection policies that are consistent with LSCB requirements, reviewed and updated annually and made available publicly (available on the school website);
- Safeguarding training is in line with advice from the LSCB;
- There are procedures for dealing with allegations of abuse made against members of staff including allegations made against the Head Teacher and a nominated person identified to liaise with the BwD Local Area Designated Officer (LADO);
- Policies adopted by the governing body are disseminated, followed and understood by all staff;
- They appoint a member of staff from the senior leadership team to the role of Designated Safeguarding Lead (DSL);
- Children are taught about safeguarding (including online) through teaching and learning opportunities, as part of providing a broad and balanced curriculum;
- There are written recruitment and selection procedures that include the requirement for appropriate pre-employment checks and at least one person on any appointment panel has undertaken safer recruitment training;

- There are procedures in place to handle allegations of abuse of children against other children;
- There are appropriate safeguarding responses to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in the future;
- The child’s wishes and feelings are taken into account when determining what action to take and what services to provide to protect individual children through ensuring there are systems in place for children to express their views and give feedback;
- They recognise the importance of information sharing between professionals and the local authority;
- They appoint a designated teacher to promote the educational achievement of children who are looked after and this person has appropriate training; and
- Ensure the school ICT policy addresses the safety of children in accessing inappropriate material when accessing the internet and that appropriate filtering and monitoring systems are in place.

#### **The Head Teacher:**

- Ensures that the child protection policy and procedures are implemented and followed by all staff;
- Allocates sufficient time and resources to enable the DSL and deputy to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings;
- Ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistle blowing procedures;
- Ensures that pupils’ safety and welfare is addressed through the curriculum; and
- Provides a signed copy of the school’s annual report to the Governing Body

#### **The Designated Safeguarding Lead (DSL):**

##### **As set out in Annex B: Keeping children safe in education 2016**

A deputy lead must also be identified who can undertake those functions in the absence of the DSL.

#### ***Managing referrals:***

The DSL is expected to:

- Refer cases of suspected abuse to the local authority children’s social care as required;
- Refer cases to the Channel Panel where there is a radicalisation concern as required;
- Support staff who make referrals to the local authority and the Channel Panel;
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- Refer cases where a crime may have been committed to the police as required.

#### ***Working with others***

The DSL will:

- Liaise with the head teacher (or principal) to inform of on-going enquires under section 47 of the Children Act and police investigations;
- As required liaise with the LADO for all cases involving a staff member;
- Liaise with staff on matters of safety and safeguarding when deciding whether to refer by liaising with relevant agencies. Acting as a source of support, advice and expertise for staff.

***Training:***

The DSL (and deputies) should undergo training that provides them with the knowledge and skills required to carry out the role. This training should be updated at least 2 yearly. They must also undertake Prevent awareness training.

DSLs skills and knowledge should be refreshed at regular intervals but at least annually and this can involve e-bulletins, meeting other DSLs or simply taking the time to read and digest safeguarding materials.

DSLs should:

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments;
- Have a working knowledge of how local authorities' conduct child protection case conferences and child protection review conferences and be able to attend and contribute to these effectively when required to do so;
- Ensure each member of staff has access to and understands the schools child protection policy and procedures, especially new and part time staff;
- Be alert to the specific needs of children in need, those with special educational needs and young carers;
- Be able to keep detailed, accurate, secure written records of concerns and referrals;
- Obtain access to resources and attend any relevant or refresher training courses; and
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

***Raising Awareness:***

The DSL should:

- Ensure the school or college's policies are known and used appropriately;
- Ensure the school or college's child protection policy is reviewed annually, procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this;
- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school or college in this;
- Link with the local LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding; and

- Where children leave the school or college ensure their child protection file is transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained.

#### **4. Good Practice Guidelines**

To meet and maintain our responsibilities towards pupils we need to agree standards of good practice. This expectation of good practice applies to all staff.

##### **All staff and volunteers will:**

- Treat all pupils with respect;
- Treat pupils as individuals;
- Put the child's welfare first;
- Set a good example by conducting ourselves appropriately;
- Involve pupils in decisions that affect them;
- Encourage positive and safe behaviour among pupils;
- Be a good listener;
- Be alert to changes in pupils' behaviour;
- Recognise that challenging behaviour may be an indicator of abuse;
- Read and understand the school's child protection policy and guidance documents on wider safeguarding issues, for example bullying, physical contact and information-sharing;
- Ask the pupil's permission before doing anything for them of a physical nature, such as assisting with dressing, physical support during PE or administering first aid;
- Maintain appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language;
- Be aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse;
- Be aware and sensitive of different cultures and different communities;
- Be aware of the possible necessity for a neutral translator for a child who cannot express him/herself in English as well as in his/her mother tongue;
- Share concerns immediately with the DSL; and
- Always act in the best interests of the child or young person.

#### **5. Children who may be particularly vulnerable**

It is vital that children receive the right help and support at the right time to address unmet needs and identify risks to prevent issues from escalating.

**To ensure that all of our pupils receive equal protection, we will give special consideration to children who are:**

- Disabled or have special educational needs;
- Living in a domestically abusive situation;
- Affected by parental substance misuse;
- Asylum seekers;
- Regularly absent from school;
- Attending alternative provision or subject to a managed move;
- Living away from home (frequent movers);



- Vulnerable to being bullied, or engaging in bullying;
- Living in temporary accommodation;
- Living a transient lifestyle;
- Living in chaotic and unsupportive home situations;
- Vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion or sexuality;
- Involved directly or indirectly in prostitution or child trafficking;
- Speakers of another first language;
- Subject to a Child Protection Plan;
- Exhibiting any changing behaviours that cause concerns;
- Missing from education.

### **Blackburn with Darwen Continuum of Need and Response**

The Blackburn with Darwen Children’s Continuum of Need and Response (CoNR) framework is a tool to assist all those whose work brings them into contact with children, young people and their families (including the unborn child) to identify the level of help and protection required to ensure children grow up in circumstances that achieve their best outcomes. The framework supports a risk sensible approach (see Appendix A).

#### **Early Support**

Early support and intervention to address unmet needs can be either single agency (such as within school) or multi-agency as part of the Child and Family (CAF) assessment and plan. All staff who are in positions to assess a child’s needs should be aware of the CAF process and how to support a child/family using this process. They should also be aware of and undertake the role of Lead Professional appropriately.

***Under LSCB information sharing guidelines consent is required to undertake a CAF assessment***

## **6. Recognising and Responding to Safeguarding Concerns**

All staff should be aware of the signs of abuse and neglect and if they are unsure they should speak to the DSL. In exceptional circumstances or for advice and support, staff and the DSL can contact the Multi Agency Safeguarding Hub (MASH) 01254 666400.

The Department for Education ‘What to do if you are worried a child is being abused - Advice for practitioners’ is a booklet that helps staff to identify child abuse and neglect and take appropriate action in response. All staff can access this on the following web address:

<http://www.lscb.org.uk/category/education/>

The following flowchart will be visible for staff to be able to identify actions required when they have a safeguarding concern: Action when a child has suffered or is likely to suffer harm

<http://www.lscb.org.uk/category/education/>

The above guidance has been amended from 'Keeping children safe in education' to reflect local procedures.

### **Child in Need (CIN)**

Under section 17 (s.17 (10)) of the Children Act 1989, a child is 'in need' if:

- The child is unlikely to achieve or maintain, or to have the opportunity to achieve or maintain, a reasonable standard of health or development, without the provision of services by a local authority;
- The child's health or development is likely to be impaired, or further impaired, without the provision of such services;
- The child is disabled.

Referral to Children's Services is via the Multi Agency Safeguarding Hub using the MASH form (see the next section)

***Under LSCB information sharing guidelines consent is required to refer for a CIN assessment***

### **Child in Need of Protection**

Under section 47(1) of the Children Act 1989, a local authority has a duty to make enquiries where they are informed that a child who lives or is found in their area:

- Is the subject of an Emergency Protection Order;
- Is in Police Protection; or where they have
- Reasonable cause to suspect that a child is suffering or is likely to suffer significant harm

A professional making a child protection referral under s.47 must provide information that highlights what the child's unmet needs (underlying risk factors) are as well as high risk indicators that potentially identify the child may be suffering or likely to suffer significant harm.

The underlying risk factors and high risk indicators are identified on the Multi Agency Safeguarding Hub (MASH) form which is to be used for all referrals to Children's Services:

[http://panlancashirescb.proceduresonline.com/chapters/p\\_referral\\_social\\_care.html](http://panlancashirescb.proceduresonline.com/chapters/p_referral_social_care.html)

***Under LSCB information sharing guidelines, consent can be overridden for a child protection referral***

### **Referral to children's social care**

- **Telephone Blackburn with Darwen Borough Council's MASH (Multi-Agency Safeguarding Hub) 01254 666400**

- **Complete a MASH referral form and send securely to [cypreferrals@blackburn.gcsx.gov.uk](mailto:cypreferrals@blackburn.gcsx.gov.uk)**

To ensure that our pupils are protected from harm, we need to understand what types of behaviour constitute abuse and neglect. There are four categories of abuse: physical, emotional, sexual and neglect:

### **Physical abuse**

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

### **Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only for meeting the needs of another person. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. It may feature age – or developmentally – inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction.

Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

### **Sexual abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

### **Neglect**

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

*(Definitions are taken from Working Together to Safeguard Children 2015).*

If, at any point, there is a risk of immediate serious harm to a child a referral should be made to MASH immediately. Anybody can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration.

## **Key points for staff to remember for taking action are:**

- In an emergency take the action necessary to help and protect the child, for example, call 999;
- Report your concern to the DSL as soon as possible;
- Do not start your own investigation;
- Share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family;
- Complete a record of concern;
- Seek support for yourself if you are distressed.

## **If a pupil discloses to you**

It takes a lot of courage for a child to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual; their abuser may have threatened what will happen if they tell; they may have lost all trust in adults; or they may believe, or have been told, that the abuse is their own fault.

If a pupil talks to a member of staff about any risks to their safety or wellbeing, the staff member will need to let the pupil know that they must pass the information on. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen, if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

## **During their conversations with the pupils, staff will:**

- Allow them to speak freely;
- Endeavour to utilise a neutral translator if necessary;
- Remain calm and collected – the pupil may stop talking if they feel they are upsetting their listener;
- Give reassuring nods or words of comfort – ‘I’m so sorry this has happened’, ‘I want to help’, ‘This isn’t your fault’, ‘You are doing the right thing in talking to me’;
- Not be afraid of silences – staff must remember how hard this must be for the pupil;
- Under no circumstances ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the pupil’s mother think about all this;
- Tell the pupil that in order to help them, the member of staff must pass the information on;
- Not automatically offer any physical touch as comfort. It may be anything but comfort to a child who has been abused;
- Avoid admonishing the child for not disclosing earlier. Saying things such as ‘I do wish you had told me about this when it started’ or ‘I can’t believe what I’m hearing’ may be interpreted by the child to mean that they have done something wrong;
- Tell the pupil what will happen next. The pupil may agree to go to see the designated safeguarding lead. Otherwise it is the duty of the member of staff to inform the DSL of what has been discussed. If the pupil does agree to go and see the designated safeguarding lead, the staff member should inform the DSL that the child will be coming to see them at some point;
- Report verbally to the DSL even if the child has promised to do it by themselves;

- Write up their conversation as soon as possible on the record of concern form and hand it to the DSL;
- Seek support if they feel distressed.

### **Notifying parents**

The school will normally seek to discuss any concerns about a pupil with their parents (if safe to do so). This must be handled sensitively and the DSL will make contact with the parent in the event of a concern, suspicion or disclosure.

However, if the school/DSL believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will first be sought from children's social care (particularly if the disclosure is sexual abuse, forced marriage, under Prevent Duty, Female Genital Mutilation or Fabricated and Induced Illness (FII)).

## **7. Specific Safeguarding Circumstances**

### **Child Sexual Exploitation (CSE)**

CSE involves exploitative situations, contexts and relationships where young people may receive something (e.g. food, accommodation, drugs, alcohol, gifts or simply affection) as a result of engaging in sexual activities. The perpetrator will not only groom the victim (possibly over a long period of time) but will always hold some kind of power which increases as the exploitative relationship develops. Sexual exploitation involves a degree of coercion, intimidation or enticement, including unwanted pressures from peers to have sex, sexual bullying including on line bullying (cyber bullying) and grooming. It is important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

- All staff will undertake CSE training appropriate to their role
- The school curriculum (whereby sexual relationships/PSHE is delivered) will include relevant information around the risks associated with CSE.

Link to Pan Lancashire CSE Standard Operating Protocol which includes further guidance that school will follow if CSE is recognised:

[http://panlancashirescb.proceduresonline.com/chapters/p\\_child\\_sex\\_exp.html](http://panlancashirescb.proceduresonline.com/chapters/p_child_sex_exp.html)

### **Children Missing from Education**

This can be a potential sign of abuse or neglect including sexual exploitation, undergoing female genital mutilation, forced marriage or travelling to conflict zones. Staff must follow school procedures when a child misses education particularly on repeat occasions to help identify the risk of abuse and neglect, including sexual exploitation, and prevent the risk of them going missing in the future.

Schools must have an admission and an attendance register and school must inform the Local Authority of any pupil who is going to be removed from the admission register where the pupil:

- Has been removed by parents and school has received written notification from the parent that they are being educated outside of the school system e.g. home schooling;
- They have ceased to attend school and no longer live within reasonable distance of the school;
- They have been certified by the school medical officer as unlikely to be fit to attend school before ceasing to be of compulsory school age;
- The child is in custody for a period of more than four months and school does not believe they will return at the end of that period;
- The child has been permanently excluded;

**School must also inform the Local Authority of any pupil who fails to attend school regularly, or has been absent without the schools permission for a continuous period of 10 school days or more.**

Link to LSCB procedure:

[http://panlancashirescb.proceduresonline.com/pdfs/child\\_missing\\_no\\_educ.pdf](http://panlancashirescb.proceduresonline.com/pdfs/child_missing_no_educ.pdf)

Link to Local Authority Guidance:

<http://www.lscb.org.uk/category/education/>

### **Preventing Radicalisation**

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism, there is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. From July 2015 all schools are subject to a duty under section 26 of the Counter-Terrorism and Security Act of 2015, to have 'due regard to the need to prevent people from being drawn into terrorism', known as the 'Prevent Duty'.

Staff should:

- Have a general understanding of how to identify a child who may be at risk of radicalisation;
- Be alert to changes in children's behaviour which could indicate that they may be in need of help or protection;
- Use professional judgement in identifying children who might be at risk of radicalisation and act proportionately;
- Will training appropriate to their role - the DSL will undertake Prevent Workshop to Raise Awareness of Prevent (WRAP training);
- The school ICT policy will ensure the safety of children by ensuring they cannot access terrorist and extremist material when using the internet and that suitable filtering software is in place;
- Understand when it is appropriate to make a referral to the Channel Panel in Lancashire;
- Speak to the DSL if they have concerns;
- The DSL must follow LSCB procedures in relation to obtaining advice and/or making a referral to Channel.

Link to LSCB procedures:

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

Female Genital Mutilation (FGM) is encompassed within a range of crimes of so called 'honour based abuse' or 'honour based violence' including forced marriage, the practice of breast ironing and FGM.

All of these are abusive and FGM is illegal in the UK and a form of child abuse with long-lasting harmful consequences. School staff needs to be alert to the possibility of when a female pupil may be at risk of FGM or when it may have been conducted on them.

Warning signs for FGM can be found in the HM Government Multi-Agency Practice Guidance (link below), and pages 59-62 focuses on the role of schools and colleges. Pages 38-41 gives guidance on the warning signs that FGM may be about to take place or has already taken place

[http://www.lscb.org.uk/wp-content/uploads/Multi\\_Agency\\_Statutory\\_Guidance\\_on\\_FGM-April-2016.pdf](http://www.lscb.org.uk/wp-content/uploads/Multi_Agency_Statutory_Guidance_on_FGM-April-2016.pdf)

- There is a statutory duty upon teachers that they must report to the police cases where they discover that an act of FGM appears to have been carried out.
- Staff must also follow LSCB procedures.

[http://panlancashirescb.proceduresonline.com/chapters/p\\_female\\_mutilation.html](http://panlancashirescb.proceduresonline.com/chapters/p_female_mutilation.html)

## **Forced Marriage**

A forced marriage is one whereby one or both parties do not consent to marriage but are forced to do so through violence, threats or any form of coercion. Schools play an important role in safeguarding children from being forced to marry.

The school will follow national and local guidance.

[http://panlancashirescb.proceduresonline.com/chapters/p\\_forced\\_marriage.html](http://panlancashirescb.proceduresonline.com/chapters/p_forced_marriage.html)

## **Online Safety**

Mobile phones, computers and other digital devices can be a source of fun, entertainment, communication and education. However, we know that some adults and young people will use these technologies to harm children. The harm may include sending hurtful or abusive texts and emails; enticing children to engage in sexually harmful conversations online; inappropriate/indecent webcam filming and photography or face-to-face meetings.

The school's online safety policy covers the use of mobile phones and other electronic communications technologies. This will explain how we try to keep pupils safe in school when using the internet and mobile technology. Children and young people may unknowingly also engage in activities that could put themselves and others at risk, such as revealing personal information and uploading images of others.

The schools Online Safety Policy can be located either on the school website via the Safeguarding link – Online Safety – Parent Zone [www.stthomasscentre.com](http://www.stthomasscentre.com) or on the school O drive – Policies – Online Safety Policy.

Online bullying by pupils, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures.

- School policies/measures will encourage good behaviour and respect (this includes around bullying);
- We ensure policies take into account equality and diversity;
- We ensure policies relating to searching a student or their property with and without their consent are written correctly; this information can be found in the Behaviour Management Policy.
- We have an up to date home / school agreement regarding the use of social media to make complaints relating to pupils / staff. This can be found in St Thomas’s Centre Induction Pack.
- We ensure we have the appropriate filters and monitoring systems in place that do not restrict what children can be taught in regard to online teaching and safeguarding.

## Modern Slavery

The Modern Slavery Act 2015 places a new statutory duty on public authorities, including schools, to notify the National Crime Agency (NCA) (section 52 of the Act) on observing signs or receiving intelligence relating to modern slavery, e.g. human trafficking, slavery, sexual and criminal exploitation, forced labour and domestic servitude. The public authority (including schools) bears this obligation where it has ‘reasonable grounds to believe that a person may be a victim of slavery or human trafficking’.

Currently, victims of human trafficking who are identified by a ‘first responder’, including local authorities, can be referred to the NCA via the NRM (National Referral Mechanism) however this is on a voluntary basis and with the adult victim’s consent.

Children do not need to give their consent to be referred to the NCA.

- Staff must be aware of the above and contact the DSL should they suspect or receive information that either parents or their children may be victims of modern slavery
- The DSL should then contact the NCA and the following persons:
  - Lauren Lysons (MASH Area Team Manager) who is the Single Point of Contact (SPOC) for concerns about children.
  - Sam Mirfin (Safeguarding Adults Team Manager) who is the SPOC for concerns about adults.

Further information on the above and other specific safeguarding concerns (below) can be found on the following:

- <http://panlancashirescb.proceduresonline.com/chapters/contents.html#specific>
  - TES website: <https://www.tes.com/uk/>
  - NSPCC website: <https://www.nspcc.org.uk/preventing-abuse/>
- 
- Children missing from home or care;
  - Bullying including cyber/online bullying;
  - Domestic violence;
  - Substance misuse;



- Fabricated or induced illness;
- Faith abuse;
- Forced marriage;
- Gangs and youth violence;
- Gender-based violence/violence against women and girls (VAWG);
- Mental health;
- Private fostering;
- Sexting;
- Teenage relationship abuse;
- Modern slavery;
- Hate crime.

## **8. Support for those involved in a child protection issue**

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support pupils, their families, and staff by:

- Taking all suspicions and disclosures seriously;
- Nominating a link person (DSL) who will keep all parties informed and be the central point of contact;
- Nominating a separate link people for the child and member of staff, where a member of staff is the subject of an allegation made by a pupil, to avoid any conflict of interest;
- Responding sympathetically to any request from pupils or staff for time out to deal with distress or anxiety;
- Maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- Storing records securely;
- Offering details of helplines, counselling or other avenues of external support;
- Following the procedures laid down in our whistleblowing, complaints and disciplinary procedures
- Cooperating fully with relevant statutory agencies;
- Making sure a neutral interpreter is available when English is not the child’s first language;
- Providing time for the member of staff to reflect on child protection issues (e.g. through peer support and/or reflective safeguarding practice also during team meeting if appropriate as outlined in Working Together to Safeguard Children 2015.

## **9. Safer Recruitment**

Our school endeavours to do our utmost to employ ‘safe’ staff by ensuring our recruitment, selection and pre-employment processes are in line with statutory guidance including Disclosure and Barring Service (DBS) and ‘Keeping children safe in education 2016’ and these are contained within our Recruitment and Selection Policy.

See also ‘single central record’ on page 19.

**In Brief:**

**Regulated activity** requires an enhanced DBS certificate and this includes barred list information. Regulated activity is if a member of staff:

- Will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children; or
- Will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children (this includes unsupervised volunteers); or
- Engages in intimate or personal care or overnight activity, even if this happens only once

### **Teacher Prohibition Orders**

A **teacher** who is appointed will require an additional check to ensure they are not prohibited from teaching.

School will register and complete these checks as appropriate:

<https://www.gov.uk/guidance/teacher-status-checks-information-for-employers>

**For staff that have regular contact not classed as regulated activity:** an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors that would have the opportunity for contact with children and who work under a temporary or occasional contract

**Supervised volunteers:** In a school (or college), a supervised volunteer who regularly teaches or looks after children is not in regulated activity. The Department for Education (DfE) has published separate statutory guidance on supervision and regulated activity which the schools will have regard to when considering which checks should be undertaken on volunteers. This is set out at Annex F of Keeping Children Safe in Education.

**Staff who work in childcare provision:** In October 2014 schools received supplementary advice detailing a new requirement for childcare disqualification checks to be carried out on relevant staff working in schools and academies. These checks arise from the Childcare (Disqualification) Regulations 2009, which in turn arose out of the Education Act 2006. See below.

### **Disqualification by association:**

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

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

- Staff who work in early years provision (including teachers and support staff working in school nursery and reception classes);

- Staff working in later years provision for children who have not attained the age of 8 including before school settings, such as breakfast clubs, and after school provision;
- Staff who are directly concerned in the management of such early or later years provision.

The Regulations refer to employing a person “in connection with” these provisions and therefore the Local Authority's advice is:

Infant and Nursery Schools - All staff will be covered unless a member of staff works before children have arrived at the school or after they have left, in which case the regulations will not apply

Primary/Junior Schools – In most schools, all staff are covered, because it is unlikely in such settings that staff are always exclusively working with those over the age of 8. However, some Head teachers may decide that because a member of staff works before children have arrived at the school or after they have left, the regulations do not apply.

Secondary Schools - will need to undertake checks on relevant staff (including managers) where any services are provided where under 8s may be in attendance e.g. childcare facilities, before or after school clubs

Volunteers and Governors are not covered by statute, but we will consider whether undertaking such a check is appropriate depending upon the role of these individuals in school.

A person is disqualified if any of the following apply:

- They have been cautioned for, or convicted of certain violent or sexual criminal offences against adults e.g. murder, kidnap, rape, indecent assault or assault causing actual bodily harm;
- They have been cautioned for, or convicted of any offences against children;
- They are the subject of an order, direction or similar in respect of childcare, including orders made in respect of their own children (i.e. removing a child from their care or preventing a child from living with them);
- They have had registration refused or cancelled in relation to childcare or children's homes or have been disqualified from private fostering;
- They live in the same household where another person who is disqualified lives or works (disqualification 'by association'). This means that the householder has an order, restriction, conviction, caution etc. set out in the Legislation. It is accepted that staff may not necessarily know this information – the declaration requires them to answer “to the best of their knowledge”.

St Thomas's Centre will:

- Ensure all staff have completed and returned a disclosure form; (pro forma provided in Appendix C)
- Advice will be sought if it is not clear whether the individual should be suspended from duty, advice will be sought on whether a 'relevant' offence has been committed from the DfE at:

[Mailbox.disqualification@education.gsi.gov.uk](mailto:Mailbox.disqualification@education.gsi.gov.uk)

Or from Ofsted at:

[disqualification@ofsted.gov.uk](mailto:disqualification@ofsted.gov.uk)

- Anyone who is disqualified will be immediately removed from the relevant setting and Ofsted will be notified within 14 days. Should the school need to consider suspending an employee, the matter should be discussed with a member of the Schools HR Team;
- All new appointees to relevant settings, from this point onwards, will be required to complete the declaration

#### ***External Contractors:***

- St Thomas’s Centre will ensure that any contractor or their employees has been subject to the appropriate level of DBS check prior to undertaking work in school.

#### ***Single Central Record:***

Keeping Children Safe in Education (2016) sets out the schools responsibility to keep all staff details on the Single Central Record (also see Appendix B). This will cover the following:

- All staff (including supply staff, and teacher trainees on salaried routes) who work at the school

Safer recruitment means that all applicants will (appropriate to the role & responsibility):

Have the following:

- Their identity checked;
- A barred list check;
- An enhance DBS check/certificate;
- A prohibition from teaching check;
- Further checks on people living or working outside the UK;
- A check of professional qualifications: and
- A check to establish the person’s right to work in the UK

Further information on details that school must keep can be found in ‘Keeping children safe in education 2016’ paragraph 112 page 32.

School has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm to a child (or vulnerable adult). School will follow DBS guidance on referrals as per the GOV.UK website.

## **10. Allegations of abuse**

### **Against teachers and other staff**

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen.

A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, we must accept that some professionals do pose a serious risk to pupils and we must act on every allegation. Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

- Allegations against staff should be reported to the Head Teacher;
- Allegations against the Head Teacher should be reported to the Chair of Governors;
- The Head Teacher and/or Chair of Governors must discuss the allegation with the Local Authority Designated Officer (LADO);
- The full procedures for dealing with allegations against staff can be found in the LSCB’s policy on allegations against staff:

[http://panlancashirescb.proceduresonline.com/chapters/p\\_allegations.html](http://panlancashirescb.proceduresonline.com/chapters/p_allegations.html)

**Staff conduct:** Staff that are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague’s career. All staff must remember that the welfare of the child is paramount and that they have a duty to respond and inform the Designated Safeguarding Lead.

The school’s whistleblowing code (this can be found on the school O drive – Policies – Whistleblowing Policy) enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place.

All concerns of poor practice or possible child abuse by colleagues should be reported to the Head Teacher. Complaints about the Head Teacher should be reported to the Chair of governors.

### **Allegations of abuse made against other children**

The school recognises that children are capable of abusing their peers and will follow LSCB Pan Lancashire guidance:

[http://panlancashirescb.proceduresonline.com/chapters/p\\_child\\_abuse\\_others.html](http://panlancashirescb.proceduresonline.com/chapters/p_child_abuse_others.html)

## **11. Complaints**

Our complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Complaints are managed by senior staff, the Head Teacher and governors.

Complaints from staff are dealt with under the school’s complaints, disciplinary and grievance procedures which can be found in our school complaints policy this can be found on the school O drive – Policies – Grievance Policy for school based staff.

## 12. Staff training

It is important that all staff have appropriate training and are confident and competent to enable them to recognise the possible signs of abuse and neglect and to know what to do if they have a concern (see also Chapter 3: Roles and Responsibilities).

New staff and governors will receive training during their induction. All staff, including the Head Teacher (unless the Head Teacher is the DSL) and governors will receive training that is regularly updated and the DSL will receive training updated at least every two years appropriate to the knowledge and skills required for the role.

In addition all staff members should receive regularly safeguarding updates which can be in the form of email, bulletins, staff meetings, as required but at least annually.

Training should be in line with advice from the LSCB

Supply staff and other visiting staff will be given the school's Safeguarding Policy and the Induction Handbook.

***Guidance for Safer Working Practice*** – a copy of this guidance should be given to every member of staff (paid or voluntary) to assist with appropriate behaviour and minimise allegations of professional abuse.

The Governing body, via the Head Teacher, must be satisfied that every member of staff has received, read and understood the guidance, with a signed declaration agreeing to operate in line with the best practice guidance.

A copy of the most recent guidance can be found here:

<http://www.lscb.org.uk/category/education/>

## 13. Confidentiality, Information Sharing & Record Keeping

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil and staff involved but also to ensure that being released into the public domain does not compromise evidence.

Staff should only discuss concerns with the Designated Safeguarding Lead, Head Teacher or Chair of governors (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

Child protection information will be stored and handled in line with Data Protection Act 1998 principles. Information is:

- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate

- Kept no longer than necessary – local authority guidance is 25 years after leaving school/education
- Processed in accordance with the data subject’s rights
- Secure

Record of concern forms and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Every effort will be made to prevent unauthorised access, and sensitive information should not be stored on laptop computers, which, by the nature of their portability, could be lost or stolen. If it is necessary to store child protection information on portable media, such as a CD or flash drive, these items will also be kept in locked storage. Child protection information will be stored separately from the pupil’s school file and the school file will be ‘tagged’ to indicate that separate information is held.

Safeguarding information must follow the child throughout their education as an additional separate record but a copy must be retained by each school attended for the set time as above/99 years.

Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the Head Teacher or DSL.

The Data Protection Act does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

The school’s policy on confidentiality and information-sharing is available to parents and pupils on request.

The school policy will reflect the LSCB Multi Agency Information Sharing Policy:

[http://panlancashirescb.proceduresonline.com/chapters/p\\_info\\_share\\_confident.html](http://panlancashirescb.proceduresonline.com/chapters/p_info_share_confident.html)

#### **14. Policies that offer additional safeguarding information/links:**

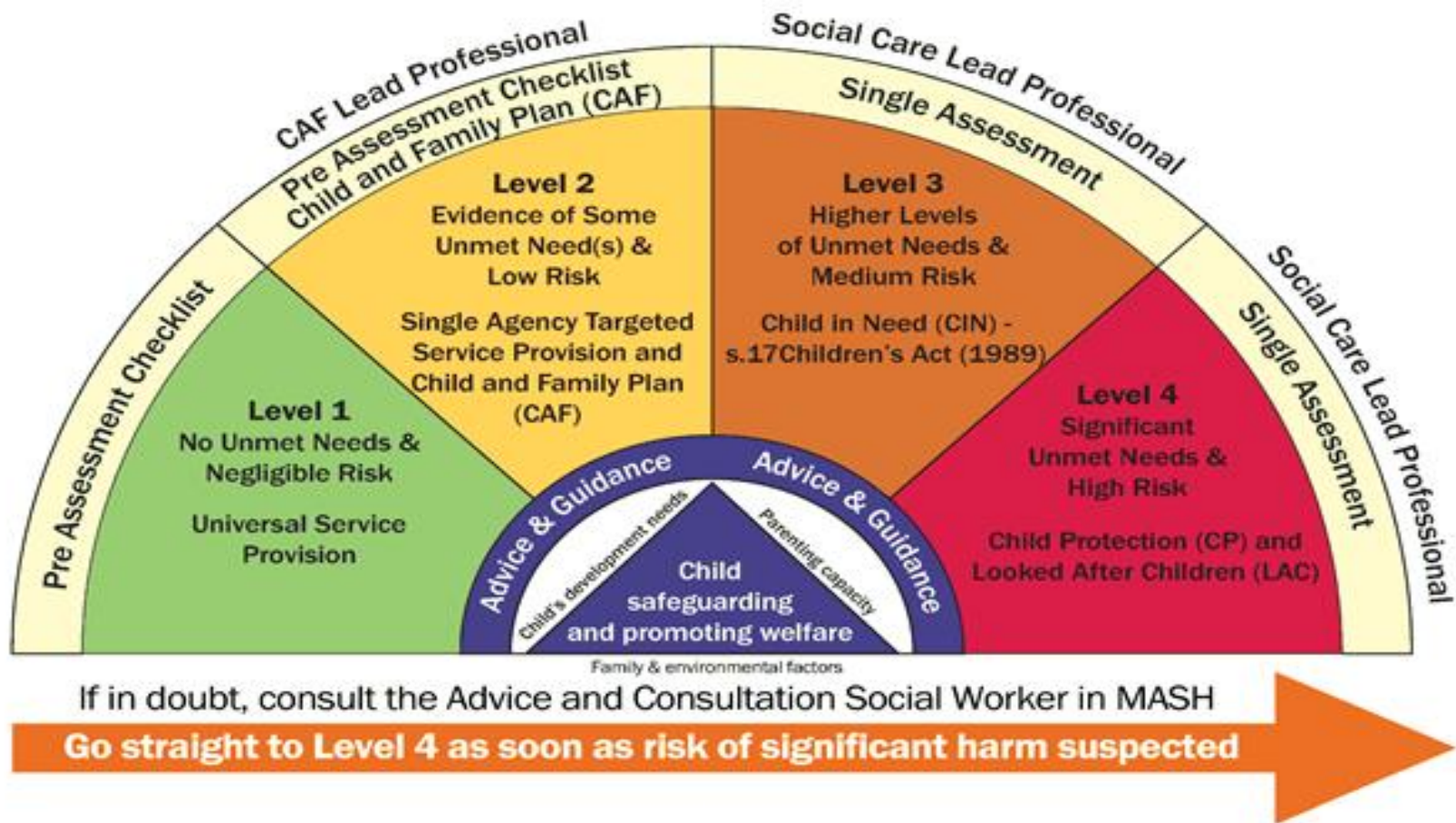
- Safeguarding Children and Child Protection policy - Confidentiality & Information Sharing
- Supporting Students with Medical Conditions Policy
- Visitors Procedures
- Health and Safety, including community use of school buildings
- Sex and Relationships Education Policy - Health and Wellbeing
- Complaints procedure
- Online safety
- School attendance policy
- Considering applications for discretionary leave of absence during term time
- Whistleblowing Policy (includes managing allegations)
- Education Health Care Plan – SEND Information Report
- Behaviour Management Policy
- Missing from education - CME Policy

- Grievance and Disciplinary Policy for School Based
- Educational Visits – Off Site Visit Policy
- Data Protection



Appendix A

Blackburn with Darwen Continuum of Need and Response



The Blackburn with Darwen Children’s Continuum of Need and Response (CoNR) Framework is a guidance tool to assist all those whose work brings them into contact with children, young people and their families (including the unborn child) to identify the level of help and protection required to ensure children grow up in circumstances that achieve their best outcomes.

The table below defines the four levels of the framework and there are more detailed need and risk indicators contained within the booklet accompanying this which can be found on the LSCB website: [www.lscb.org.uk](http://www.lscb.org.uk)

Level	Risk & Need	Definition of the Level
1	No Unmet Needs & Negligible Risk	<p><b>Universal Service Provision</b></p> <ul style="list-style-type: none"> <li>• Primary prevention services being accessed by parents/carers through universal service routes; effects of socio-economic disadvantage addressed</li> <li>• Good enough parenting</li> <li>• Social and emotional readiness for school and equipped for life</li> <li>• Step Down from level 2: Provision of prevention services to avoid long term suffering, monitoring of progress and access to tools required to transform lives</li> </ul>
2	Evidence of Some Unmet Need(s) & Low Risk	<p><b>Single Agency Targeted Service Provision and Child and Family Plan (CAF)</b></p> <ul style="list-style-type: none"> <li>• Selective primary prevention services offered to vulnerable groups/areas</li> <li>• Variety of unmet needs and ‘underlying risk factors’ that are not being met, making the child potentially vulnerable and requiring multi-agency early help to ensure the child maintains the capacity and protective factors to sustain satisfactory development</li> <li>• Parenting and parental relationships requiring additional support and guidance</li> <li>• Secondary prevention to respond quickly to low level problems to prevent them getting worse; interventions designed to stop falling into difficult circumstances</li> <li>• Step Down from level 3: Provision of prevention services to avoid long term suffering, monitoring of progress and access to tools required to transform lives</li> </ul>

Level	Risk & Need	Definition of the Level
3	Higher Levels of Unmet Needs & Medium Risk	<p><b>Child in Need (CIN) – s.17 Children Act (1989)</b></p> <ul style="list-style-type: none"> <li>• Unlikely to meet developmental milestones without concerted multi-agency support led by a social worker</li> <li>• Variety of unmet needs and ‘underlying risk factors’ that are not being addressed (including resistance at CAF level to address), making the child vulnerable and unlikely to achieve good outcomes</li> <li>• Tertiary prevention services including responding to serious problems and avoiding them becoming entrenched</li> <li>• Step Down from level 4: Provision of prevention services to avoid long term suffering, monitoring of progress and access to tools/services required to transform lives</li> </ul>
4	Significant Unmet Needs & High Risk	<p><b>Child Protection (CP) and Looked After Children (LAC)</b></p> <ul style="list-style-type: none"> <li>• Reasonable cause to suspect the child is suffering, or likely to suffer, significant harm requiring immediate multi-agency management and service provision – <b>s.47 Children Act (1989)</b></li> <li>• Possible unaddressed ‘underlying risk factors’ and the presence of ‘high risk indicator(s)’</li> <li>• Child accommodated by the local authority due to: the child having no person who has parental responsibility for him/her; or, the child being lost or abandoned; or, the person caring for the child is prevented from providing suitable accommodation or care – <b>s.20 Children Act (1989)</b></li> <li>• Child is suffering, or likely to suffer (if a court order were not made), significant harm and that the harm, or likelihood of harm is attributable to the care given to the child (the care not being what it would be reasonable to expect a parent/carer to provide) – <b>s.31 Children Act (1989)</b></li> <li>• Tertiary prevention services including responding to serious problems and avoid them becoming entrenched</li> </ul>

Underlying risk factors and high risk indicator can be found on the MASH form.

The following is the booklet to accompany the Continuum:

<http://www.lscb.org.uk/wp-content/uploads/Childrens-Continuum-of-Need-and-Response-Framework-April-2016.pdf>

**Appendix B Single Central Record Template**

Identity				Qualifications		Prohibition from teaching	List 99/Barring check	CRB/DBS/enhanced DBS		Child Care Regulations 2009 check	Right to work in the UK	Overseas criminal records checks
Name	Address	Date of Birth	Evidenced & date	Qualifications required: yes/no	Qualifications evidenced: yes/no & date	Check evidenced & date	Check evidenced & date	Check evidenced & date	Disclosure Number	Check, evidenced & date	Check evidenced & date	Check evidenced & date

**Appendix C**

**NAME OF SCHOOL:** \_\_\_\_\_

**Staff declaration in relation to childcare disqualification.**

This form is to be completed by all new staff before commencement of employment and by all staff on an annual basis.

**Name:** \_\_\_\_\_ **Post:** \_\_\_\_\_

Please answer the questions set out below and sign the declaration overleaf to confirm that you are safe to work with and care for children. If there are any parts of the declaration that you are not able to meet, you should disclose this immediately to the head teacher.

Please circle yes or no against each question below:

<p><u>Questions relating to you:</u></p> <p>Are you <i>disqualified for caring for children</i>?</p> <ul style="list-style-type: none"> <li>• Have you ever been cautioned or convicted of any offences against a child?</li> <li>• Have you ever been cautioned or convicted of any violent or sexual offences against an adult?</li> <li>• Have you been barred from working with children by the Disclosure and Barring Service (the DBS, this used to be known as the ISA)? – If you have children, have your children, or children living within your household, at any time, been taken into care?</li> <li>• Have your children, or children living within your household been, at any time, the subject of a child protection plan?</li> <li>• Has a court order been made, at any time, in respect of a child under your care?</li> <li>• Have you ever been refused registration or had registration cancelled in relation to childcare or a children’s home or have you ever been disqualified from private fostering?</li> </ul>	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO or N/A</p> <p>YES/NO or N/A</p> <p>YES/NO</p> <p>YES/NO</p>
<p><u>Questions relating to <b>ALL</b> others in your household</u> ('household' means anyone residing permanently or temporarily with you at the time of signing this declaration):</p> <p>Is anyone living or working in your household been disqualified for caring for children?</p> <ul style="list-style-type: none"> <li>• Has anyone living or working in your household been cautioned or convicted of offences against a child?</li> <li>• Has anyone living or working in your household been cautioned or convicted of violent or sexual offences against an adult?</li> <li>• Has anyone living or working in your household been barred from working with children by the Disclosure and Barring Service (DBS)?</li> <li>• Does anyone living or working in your household have children that have been taken into care?</li> <li>• Has anyone living or working in your household been the subject of a child protection plan?</li> <li>• Has anyone living or working in your household had a court order made in respect of a child in their care?</li> <li>• Has anyone living in your household been refused registration or had registration cancelled in relation to childcare or a children’s home or has anyone been disqualified from private fostering?</li> </ul>	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p>

I understand my responsibility to safeguard children and am aware that I am required to notify the head teacher of anything that may affect my suitability or that of anyone currently living in my household.

I will ensure that I notify the head teacher immediately of any changes to my situation or that of anyone living or working in my household.

I understand that the school may undertake appropriate checks in regard to safeguarding and this may include contacting any previous settings, local authority staff, the police and the DBS.

I certify that to the best of my knowledge all the information I have given is correct. I understand that by deliberately giving false answers I may be suspended from duty, subject to school disciplinary procedures and may be liable to summary dismissal with possible referral to the police.

**Signed (Staff member)** .....

**Date** .....

**Name in block capitals** .....

**Signed (Headteacher)** .....

**Date** .....

**Name in block capitals** .....

***For the attention of the Headteacher***

*Please record any action taken where the staff member has indicated 'YES' in answer to one or more of the questions above.*

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