



St Mary Magdalene Academy

The Courtyard

THE COURTYARD

SAFEGUARDING AND CHILD PROTECTION POLICY

The Courtyard aims to offer an outstanding educational and social provision that will equip our students with the skills and experiences needed to discover and live out their potential.

SAFEGUARDING AND CHILD PROTECTION - POLICY STATEMENT

**ST MARY MAGDALENE ACADEMY
THE COURTYARD**

Approval Committee:	Full Governing Body
Author:	Head Teacher
Last reviewed:	December 2020
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Required to publish on website?	Yes
Statutory?	Yes

POLICY STATEMENT

- 1.1 At the Courtyard we recognise that students' high self-esteem and confidence, together with supportive friends and clear lines of communication with trusted adults, will provide the basis for a secure Child Protection Policy.
- 1.2 The Courtyard will establish systems and structures which prevent harm to, protect and support students throughout their time with us.
- 1.3 This will be achieved by:
 - 1.3.1 basing our behaviour within the context of the Courtyard's ethos statement;
 - 1.3.2 establishing clear and caring pastoral systems;
 - 1.3.3 addressing central issues in our Key Worker & assemblies programme;
 - 1.3.4 training staff to know how to deal with such concerns; and
 - 1.3.5 establishing clear links with the support services.
- 1.4 This policy should be read in conjunction with the following policies:
 - 1.4.1 Health and Safety.
 - 1.4.2 Behaviour.
 - 1.4.3 Anti-bullying.
 - 1.4.4 SEN.
 - 1.4.5 SRE.
 - 1.4.6 Intimate Care.
 - 1.4.7 Local Protocol for assessment of needs for individual children (refer to all local authorities that have placed students at the Courtyard).
- 1.5 The Designated Safeguarding Lead is Deborah Shepherd, Headteacher, Level 5 Child Protection Training.
- 1.6 The Deputy Designated Safeguarding Lead is Louise Norman, Level 3 Child Protection Training.
- 1.7 The Safeguarding Governor is Jo Honigmann.
- 1.8 The policy should be shared with all stakeholders, including governors, staff, volunteers, nurses and supply staff.

2. DEFINITIONS

- 2.1 **Safeguarding** is a term which is broader than ‘child protection’ and relates to the action taken to promote the welfare of children and protect them from harm. Safeguarding is everyone’s responsibility. Safeguarding is defined in the Government’s 2017 ‘Working together to safeguard children guidance’ as:
- 2.1.1 protecting children from maltreatment;
 - 2.1.2 preventing impairment of children’s health and development;
 - 2.1.3 ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
 - 2.1.4 taking action to enable all children to have the best outcomes.
- 2.2 **Child protection** refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.
- 2.3 **Prevent Duty** refers to Section 26 of the Counter-Terrorism and Security Act 2015 (the Act). This places a duty on certain bodies (“specified authorities” listed in Schedule 6 to the Act), in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”.
- 2.4 **Staff** refers to all those working for or on behalf of the Courtyard, full time or part time, in either a paid or voluntary capacity.
- 2.5 **Child** refers to all young people under 18 years old.
- 2.6 **Parent** refers to birth parents and other adults who are in a parenting role, for example, foster carers and adoptive parents.

3. INTRODUCTION

- 3.1 The Courtyard recognises its statutory responsibility to safeguard and promote the welfare of all students. Section 157 of the Education Act 2002 requires proprietors of Academies to have arrangements to safeguard and promote the welfare of children who are students at their school.
- 3.2 The Courtyard's key safeguarding principles are:
- 3.2.1 to provide a safe environment where children are respected and valued;
 - 3.2.2 to be alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective protection;
 - 3.2.3 to provide appropriate support to students and staff involved in child protection issues; and
 - 3.2.4 to review our Safeguarding and Child Protection annually, unless an incident, new legislation or guidance requires an interim review.
 - 3.2.5 To be alert to the current threat from terrorism which can involve the exploitation of vulnerable people, including children, young people and

vulnerable adults by seeking to involve them in terrorism or activity in support of terrorism.

4. ROLES AND RESPONSIBILITIES

4.1 The Designated Safeguarding Lead (DSL):

- 4.1.1 acts as a source of support and expertise to the Courtyard staff;
- 4.1.2 attends child protection conferences;
- 4.1.3 ensures that all staff sign to indicate that they have read and understood the Child Protection and Safeguarding policy;
- 4.1.4 liaises with the nominated Governor as appropriate;
- 4.1.5 keeps written records of all concerns, ensuring that such records are stored securely but kept separate from, the child's general file;
- 4.1.6 refers cases of suspected abuse to children's social care or police;
- 4.1.7 ensures that when a student with a child protection plan leaves the Courtyard, his/her information is passed to their new school and the student's social worker is informed;
- 4.1.8 has an understanding of and implements procedures of the Local Safeguarding Children Board (LSCB);
- 4.1.9 develops effective links with relevant statutory and voluntary agencies;
- 4.1.10 makes the Child Protection and Safeguarding policy available to parents.

4.2 The deputy DSL

- 4.2.1 in the absence of the DSL, carries out those functions necessary to ensure the on-going safety and protection of students;
- 4.2.2 in the event of the long-term absence of the designated person, the deputy will assume all of the functions above.

4.3 The Governing Body

- 4.3.1 ensures that a Child Protection and Safeguarding policy is in place that is reviewed annually;
- 4.3.2 ensures that there are procedures for dealing with allegations of abuse made against members of staff;
- 4.3.3 ensures that there are safe recruitment procedures that include the requirement for statutory checks on staff suitability to work with children;

- 4.3.4 nominates a member (normally the Chair of Governors) to be responsible for liaising with the local authority and other agencies in the event of an allegation being made against the Headteacher;
- 4.3.5 will submit an annual report to the local authority, if required, about how the Governing Body's duties have been carried out.

5. STAFF GUIDELINES

Staff should follow good practice:

- 5.1 setting a good example by conducting themselves appropriately;
- 5.2 being good listeners;
- 5.3 being alert to changes in students' behaviour;
- 5.4 recognising that challenging behaviour may be an indicator of abuse;
- 5.5 reading and understanding the Courtyard's Child Protection and Safeguarding policy and policies on wider issues, for example, bullying, behaviour, physical contact and information-sharing;
- 5.6 asking the student's permission before initiating physical contact such as physical support during PE;
- 5.7 maintaining appropriate standards of conversation with and between students and avoiding the use of sexualised language;
- 5.8 applying the use of breakaway and restraint techniques that involve reasonable force only as a last resort and in compliance with the Courtyard's policy.

6. STAFF TRAINING

It is important that all staff have training to enable them to recognise the possible signs of abuse and neglect and to know what to do if they have a concern. New staff and Governors will receive training during their induction.

7. ABUSE OF TRUST

All staff must be aware that inappropriate behaviour towards students is unacceptable. Staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any

sexual activity between a member of the Courtyard staff and a student under 18 may be a criminal offence, even if that student is over the age of consent. The Courtyard considers that even when a student is over 18 years of age engaging in sexual activity remains inappropriate and unacceptable and will be subject to the Staff Disciplinary policy, located in the Staff Handbook.

8. CHILDREN WHO MAY BE PARTICULARLY VULNERABLE

- 8.1 Some children may have an increased risk of abuse. Many factors can contribute to an increase in risk, including isolation and communication issues.
- 8.2 To ensure that all of the Courtyard's students receive equal protection, we will give special consideration to children who are:
 - 8.2.1 affected by parental substance misuse;
 - 8.2.2 looked-after children;
 - 8.2.3 vulnerable to being bullied, or engaging in bullying;
 - 8.2.4 living in chaotic and unsupportive home situations;
 - 8.2.5 at risk of female genital mutilation or forced marriage; and/or
 - 8.2.6 at risk of child sexual exploitation.
- 8.3 This list provides examples of particularly vulnerable groups and is not exhaustive.

9. HELPING CHILDREN TO KEEP THEMSELVES SAFE

- 9.1 Children are taught to understand and manage risk through The Courtyard's Key Worker sessions and assemblies, and through all aspects of life at the Courtyard. Our approach is designed to help children to think about risks they may encounter and work out how those risks might be overcome.
- 9.2 Children are also reminded regularly about e-safety and tackling bullying procedures. Students are encouraged to speak to a member of staff in confidence about any concerns they may have.
- 9.3 Random student searches are conducted every half-term in order to discourage the carrying of offensive weapons and other dangerous banned items. These searches are conducted by the Headteacher in accordance with the powers that teachers have as per the DfE guidance document *Searching, Screening and Confiscation: Advice for Headteachers, Academy staff and governing bodies* (DfE: 2014).

10. COMPLAINTS

The Courtyard's complaints procedure will be followed where a student or parent raises a concern about poor practice that initially does not reach the threshold for child protection action.

11. CONCERNS ABOUT A MEMBER OF STAFF

- 11.1 Staff members who are concerned about the conduct of a colleague towards a student must remember that the welfare of the child is paramount. The Courtyard's whistleblowing policy enables staff to raise concerns or allegations in confidence. All concerns of poor practice or possible child abuse by colleagues should be reported to the Headteacher. Complaints about the Headteacher should be reported to the Chair of Governors.
- 11.2 When an allegation is made against a member of staff, set procedures must be followed. We must accept that some professionals do pose a serious risk to students and we must act on every allegation. Staff members 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 the default option and alternatives to suspension will always be considered. Allegations against staff will be dealt with in accordance with the Courtyard's policy covering allegations of abuse.

12. SUPPORT FOR THOSE INVOLVED IN A CHILD PROTECTION ISSUE

Child abuse can result in distress for staff members who become involved. We will support staff by:

- 12.1 taking all suspicions and disclosures seriously;
- 12.2 responding sympathetically to any request from staff for time out to deal with distress or anxiety;
- 12.3 offering details of helplines and counselling.

13. SAFER RECRUITMENT

- 13.1 The Courtyard endeavours to ensure that it does its utmost to recruit appropriate staff.
- 13.2 Safer recruitment means that all applicants will:
 - 13.2.1 complete an application form;

13.2.2 provide two referees, including at least one who can comment on the applicant's suitability to work with children;

13.2.3 provide evidence of identity and qualifications;

13.2.4 be checked in accordance with the Disclosure and Barring Service regulations as appropriate to their role; and

13.2.5 be interviewed.

14. SITE SECURITY

Visitors to the Courtyard, including contractors, must sign in and are given a badge, which confirms they have permission to be on site.

15. EXTENDED SERVICES AND OFF-SITE ARRANGEMENTS

Where extended activities are provided by and managed by the Courtyard, our own Safeguarding and Child Protection policy applies. If other organisations provide services on our site we will check that they have appropriate procedures in place. When our students attend off-site activities, we will check that effective child protection and health and safety arrangements are in place.

16. PHOTOGRAPHY AND IMAGES

16.1 Some people abuse children through taking or using images, so we must ensure that we have some safeguards in place.

16.2 To protect students we will:

16.2.1 seek their consent for photographs to be taken or published;

16.2.2 seek parental consent;

16.2.3 use only the student's first name with an image; and

16.2.4 ensure students are appropriately dressed.

17. E-SAFETY

Students increasingly use mobile phones and computers but some people may send abusive texts and e-mails or try to entice children to engage in sexually harmful conversations or face-to-face meetings. The Courtyard's e-safety policy explains how we try to keep students safe in the Courtyard.

Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and students are not allowed to access these sites in the Courtyard. Cyber-bullying by students, via texts, e-mails and social media sites, will be treated as seriously as any other type of bullying and will be managed through the Courtyard's Anti-Bullying policy.

18. RECOGNISING ABUSE

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

18.1 Physical abuse

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

18.2 Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child, to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or making fun of what they say. It may involve serious bullying; causing children frequently to feel frightened or it may involve the corruption of children.

18.3 Sexual abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape) or non-penetrative acts such as masturbation, kissing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse.

18.4 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 involve a parent failing to provide adequate food and clothing or shelter; failing to ensure adequate supervision; or the failure to ensure access to appropriate medical care or treatment.

18.5 Indicators of abuse

18.5.1 Physical signs define some types of abuse, for example, bruising, or broken bones. It is quite difficult for anyone without medical training to

categorise injuries as deliberate with any degree of certainty. It is vital that staff members are also aware of the range of behavioural indicators of abuse and report any concerns to the DSL.

18.5.2 A child who is being abused or neglected may:

- 18.5.2.1 have bruises, bleeding, burns or fractures;
- 18.5.2.2 show signs of pain;
- 18.5.2.3 keep arms and legs covered, even in warm weather;
- 18.5.2.4 be concerned about changing for PE;
- 18.5.2.5 look unkempt and uncared for;
- 18.5.2.6 change his/her eating habits;
- 18.5.2.7 have difficulty in making or sustaining friendships;
- 18.5.2.8 be reckless with regard to his/her own or other's safety;
- 18.5.2.9 self-harm;
- 18.5.2.10 frequently miss school, or arrive late;
- 18.5.2.11 show signs of not wanting to go home;
- 18.5.2.12 become uninterested in his/her Courtyard work;
- 18.5.2.13 be constantly tired;
- 18.5.2.14 be wary of physical contact;
- 18.5.2.15 be particularly knowledgeable about drugs or alcohol;
- 18.5.2.16 display sexual knowledge or behaviour beyond that normally expected for their age.

19. CHILDREN WITH SEXUALLY HARMFUL BEHAVIOUR

Children may be harmed by other children. The management of children with sexually harmful behaviour is complex and the Courtyard will work with other agencies to maintain the safety of the whole Courtyard community. Children who display such behaviour may be victims of abuse themselves and the child protection procedures will be followed for both victim and perpetrator. Staff members who become concerned about a student's sexual behaviour should speak to the DSL as soon as possible.

20. SEXUAL EXPLOITATION

Children can be unwittingly drawn into sexual exploitation through the offer of friendship and gifts. Sexual exploitation is a serious crime and can have a long-lasting adverse impact on a child's health. All staff must report concerns to the DSL as soon as possible.

21. ACTION

Key points for taking action are:

- 21.1 in an emergency take the action necessary to help the child, for example, call 999;
- 21.2 report your concern to the DSL by the end of the day;
- 21.3 do not start your own investigation;
- 21.4 share information on a need-to-know basis only;
- 21.5 complete a record of your concern;
- 21.6 seek support for yourself if you are distressed.

22. IF YOU ARE CONCERNED ABOUT A STUDENT'S WELFARE

- 22.1 There will be occasions when you suspect that a student may be at risk, but you have no actual evidence. The student's behaviour may have changed, they may write stories that reveal distress, or you may have noticed physical but inconclusive signs. In these circumstances, you should try to give the student the opportunity to talk. It is fine to ask the student if they are OK or if you can help in any way.
- 22.2 You must record these early concerns. If, following your conversation, you remain concerned; you should discuss your concerns with the DSL.

23. IF A STUDENT MAKES A DISCLOSURE

23.1 It takes a lot of courage for a child to disclose that they are being abused. If a student talks to you about any risks to their safety or wellbeing you will need to let them know that you must pass the information on.

23.2 During your conversation with the student:

23.2.1 allow them to speak freely;

23.2.2 remain calm and do not over react;

23.2.3 give reassuring nods or words of comfort - 'I'm so sorry this has happened', 'This isn't your fault';

23.2.4 under no circumstances ask investigative questions, such as how many times this has happened;

23.2.5 do not automatically offer any physical touch as comfort;

23.2.6 tell the student what will happen next. The student may agree to go with you to see the DSL. Otherwise let them know that someone will come to see them before the end of the day;

23.2.7 report verbally to the DSL as soon as possible;

23.2.8 record your conversation in writing and hand it to the DSL;

23.2.9 seek support if you feel distressed.

23.3 Notifying parents

The DSL will normally seek to discuss any concerns about a student with their parents. However, if the DSL believes that notifying parents could increase the risk to the child or exacerbate the problem, then advice will first be sought from children's social care.

23.4 Referral to children's social care

The DSL will make a referral to children's social care if it is believed that a student is suffering or is at risk of suffering significant harm. The student (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child.

23.5 Confidentiality and sharing information

- 23.5.1 All staff will understand that child protection issues warrant a high level of confidentiality, not only out of concern for the student and staff involved but also to ensure that information being released does not compromise evidence.
- 23.5.2 Staff should only discuss concerns with the DSL or Chair of Governors. That person will then decide who else needs to have the information and they will disseminate it. Child protection information will be stored and handled in line with General Data Protection Regulation 2016 principles.
- 23.5.3 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 should be made to prevent unauthorised access and sensitive information should not be stored on laptop computers. Child protection information will be stored separately from the student's Courtyard file and the Courtyard file will be 'tagged' to indicate that separate information is held.
- 23.5.4 Child protection records are normally exempt from the disclosure provisions of the General Data Protection Regulation, which means that children and parents do not have an automatic right to see them. The General Data Protection Regulation does not prevent Courtyard staff from sharing information with relevant agencies, where that information may help to protect a child.

24. REPORTING DIRECTLY TO CHILD PROTECTION AGENCIES

- 24.1 Staff should follow the reporting procedures outlined in this policy. However, they may also share information directly with children's social care, police or the NSPCC if:
 - 24.1.1 the situation is an emergency and the DSL, their deputy and the Chair of Governors are all unavailable; and
 - 24.1.2 they are convinced that a direct report is the only way to ensure the student's safety.

25. RESPONDING TO OFSTED/LOCAL AUTHORITY DESIGNATED OFFICER (LADO)

If any concerns are raised by the LADO or Ofsted about safeguarding issues at the Courtyard, the following actions should be taken:

- 25.1 the DSL must carry out an investigation as a priority and must comply with any deadlines given by the LADO or Ofsted;

- 25.2 the Chair of Governors must report to the LADO or Ofsted on the findings of the investigation and set out any appropriate action to be taken by the Courtyard;
- 25.3 The Courtyard must endeavour to comply as soon as possible with any recommendations from the LADO or Ofsted.

26. LEGISLATION

- 26.1 Children and Families Act 2014.
- 26.2 Protection of Freedoms Act 2012.
- 26.3 Education Act 2011.
- 26.4 Equality Act 2010.
- 26.5 Children and Young Persons Act 2008.
- 26.6 Borders, Citizenship and Immigration Act 2009.
- 26.7 Apprenticeships, Skills, Children and Learning Act 2009.
- 26.8 Safeguarding Vulnerable Groups Act 2006.
- 26.9 The Childcare Act 2006.
- 26.10 The Children Acts 1989 and 2004.
- 26.11 Sexual Offences Act 2003.
- 26.12 Education Act 2002.
- 26.13 Adoption and Children Act 2002.
- 26.14 Freedom of Information Act 2000.
- 26.15 The Care Standards Act 2000.
- 26.16 The Protection of Children Act 1999.
- 26.17 Human Rights Act 1998.
- 26.18 General Data Protection Regulation 2016.
- 26.19 The Rehabilitation of Offenders Act 1974 as amended.

27. GUIDANCE

- 27.1 DfE (2016) Keeping Children Safe in Education
- 27.2 DfE (2017) 'Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children.
- 27.3 DfE (2015) 'What to do if you are worried a child is being abused'
- 27.4 Safeguarding Children: Working Together under the Children Act 2004 (2006).
- 27.5 UNICEF (1989) 'Convention of the Rights of the Child'
- 27.6 HM Government (2014) Policy Paper – Safeguarding children and young people.

27.7 Disclosure and Barring Service (2012).

27.8 The Prevent Duty: Departmental Advice for schools and childcare providers', DfE (2015)

28 CONTACTS

Independent Safeguarding Authority: 0300 123 1111

www.isa.homeoffice.gov.uk

Children Social Care Dept.: 202 7527 7000 (switchboard)

Online information is available at: www.islington.gov.uk/Education/

Independent Safeguarding Authority: info@vsb-info.org.uk

Childline: www.childline.org.uk

National Society for the Prevention of Cruelty to Children (NSPCC):

www.nspcc.org.uk

Information relating to legislation can be found on the DirectGov website:

www.direct.gov.uk

UNICEF: www.unicef.org

29 GOVERNMENT DISCLOSURE

Tel.: 0870 90 90 811

Website: www.gov.uk/government/organisations/disclosure-and-barring-service



Signed:

(Head Teacher)

Date:

07.12.20

Signed: (Chair of Governors)

Date:

07.12.20