
SAFEGUARDING AND CHILD PROTECTION



Safeguarding 1: 2019-2020

BENENDEN DESIGNATED SAFEGUARDING LEADS

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GOVERNING COUNCIL CONTACTS

Chair of Council: Anna Birkett 01580 236997 cmabirkett@benenden.school
Safeguarding Governor: Wendy Carey 01580 236717 cmwcarey@benenden.school

LOCAL SAFEGUARDING PARTNERS

1. Police

Emergency 999

Non-emergency 101

2. Local Authority: Kent County Council

Kent LADO Team 03000 410888 / kentchildrenslado@kent.gov.uk

Kent Education Safeguarding team www.kelsi.org.uk (www.theeducationpeople.org)

Kent Education Safeguarding Principal Claire Ray 03000 415788

West Kent Area Safeguarding Advisor Gemma Wilson 03000 412284

Integrated Front Door 03000 411111

Integrated Front Door 03000 419191 (Out of Hours emergency)

3. Health

School Medical Officer Dr Butler-Gallie Doctor@benenden.school

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Section 1: Organisation and Management of Safeguarding

1. Introduction to Safeguarding and Child Protection

Safeguarding and promoting the welfare of children is defined as:

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

Keeping children safe in education (September 2019)

Child Protection is part of safeguarding. It is any activity undertaken to protect specific children who are suffering or at risk of suffering significant harm. A child is anyone under the age of 18 and in the case of this school, we treat all pupils as children, including those over 18.

Benenden is a boarding school, which means that children are away from home for extended periods of time and, as a result, are more vulnerable. Therefore, everyone who comes into contact with pupils has a role to play in keeping them safe and promoting their welfare. Their safety and wellbeing is at the centre of our work and staff must always act in the best interests of the pupils, listening to what they have to say and accessing help for them. Fears about sharing information should not get in the way of accessing help. [Information sharing](#) advice for practitioners outlines in what circumstances information can be shared. We all share the responsibility for ensuring that we provide and maintain a safe environment in which pupils can live, learn and thrive.

No single adult can have a full picture of a pupil's needs and circumstances; everyone who comes into contact with pupils will be aware of different aspects of their circumstances and needs. Therefore we need to pool our knowledge and expertise to ensure that pupils receive the right help at the right time. In a boarding school we are in a position to identify concerns early and to give pupils help to prevent concerns escalating. To do this effectively, the school maintains strong links with the wider safeguarding system which includes children's social care, Kent Safeguarding Children's Board, Kent Education Safeguards team, health services and the police.

We want every pupil to feel safe and protected from neglect and abuse or to know there is someone they can turn to if they are being neglected or abused. The Student Handbook gives pupils a list of people they can talk to.

All staff have a responsibility to:

- Provide a safe environment in which pupils can learn
- Be alert to signs of abuse and neglect by knowing and recognising them
- Question behaviours if something seems unusual; ask for help or refer a pupil to the Safeguarding team
- Take action to protect a pupil who is suffering significant harm, or is likely to do so
- Identify pupils who might be in need of extra support or [Early Help](#) and take action to promote their welfare, even if they are not suffering harm or at immediate risk of harm.
- Always act in the interests of the pupil when concerned about her welfare.

Where the policy uses the word 'must', staff have a legal duty to follow the guidance; where the word 'should' is used, staff should follow the guidelines unless there is a good reason not to.

This policy forms part of a group of Safeguarding Policies and should be read in conjunction with:

- [Anti-Bullying](#)
- [Online Safety](#)
- [Use of Reasonable Force](#)
- [Anti-Radicalisation](#)

These Safeguarding Policies are supported by the:

- [Staff Code of Conduct](#)
- [Data Protection Privacy Notice](#)
- [Recruitment](#)
- [Whistleblowing](#)

2. The Safeguarding Team

The Safeguarding team is led by the Headmistress who delegates the day-to-day running of the team to the Designated Safeguarding Lead (DSL). She is assisted in her role by two Deputy DSLs, and supported by the Child Protection Officer, the Anti-Radicalisation Officer and the School Medical Officer.

The Safeguarding Governor is Mrs Wendy Carey. She is very experienced in such matters, having been a Headmistress for many years and a Governor at a number of schools.

N.B Where this policy mentions the DSL, this could also be one of the Deputy DSLs who undergo training to the same standard as the DSL.

Along with the Headmistress and the School Medical Officer, the DSL and DDSL/Anti-bullying are members of the Safeguarding team by virtue of their substantive appointments (Boarding and Pastoral Care). Other members of the team – the Child Protection Officer, the DDSL/Online-Safety and the Anti-Radicalisation/Prevent Officer – are posts which are advertised internally.

SAFEGUARDING TEAM

September 2019



Designated Safeguarding Lead
Mrs Anne Wakefield



Headmistress
Mrs Sam Price



Deputy DSL/Online Safety
Mr Steve Miller



Deputy DSL/Anti Bullying
Miss Kate Dobson



Anti-Radicalisation
Mrs Ali Harber



School Medical Officer
Dr Sara Butler-Gallie

3. Role of the Designated Safeguarding Lead

The Designated Safeguarding Lead carries ultimate responsibility for safeguarding and child protection as well as online safety. Where areas of safeguarding have been delegated to the team, the ultimate responsibility for all areas, excluding the Prevent Lead.

The role comprises the following tasks:

1. Manage referrals
 - Referring cases of suspected abuse to the local authority children's social care as required
 - Referring cases where there is a radicalisation concern to the channel programme
 - Supporting staff who make referrals
 - Referring cases where a person is dismissed or has left due to risk/harm to a child to the Disclosure and Barring Service
 - Referring cases where a crime may have been committed to the police
 - Keeping accurate, detailed and secure written records of concerns and referrals
 - Ensuring GDPR and the UK Data Protection Act 2018 are followed when sharing information
 - Support staff and the Prevent Lead who make referrals to Channel
2. Work with others
 - Managing the school safeguarding team and the individual responsibilities others carry
 - Opening channels of communication with local statutory agencies and the three safeguarding partners
 - Keeping the Safeguarding Governor abreast of safeguarding within the school
 - Liaising with 'case managers' and the LADO team for child protection concerns relating to allegations against staff
 - Liaising with staff (especially the pastoral team, medical centre, SEN co-ordinator, IT department, SMT) on matters of safety and safeguarding
 - Liaising with external agencies when deciding whether to make a referral
 - Acting as a source of advice and expertise for staff, supporting them in carrying out their safeguarding duties
 - Passing on Child Protection files when pupils move schools and liaising with DSLs for appropriate support to be provided for pastoral and safeguarding concerns
 - Working with the local safeguarding partners
 - Working closely with the Online Safety Officer whilst maintaining overall responsibility for Safeguarding.
3. Training
 - Undergoing regular training, at least every two years with an annual update, and ensuring the other members of the Safeguarding team do likewise to ensure the relevant knowledge and skills required for the role are maintained
 - Ensuring all staff are trained to a high standard in safeguarding including the Safeguarding team
 - Encouraging a culture of listening to children and being alert to specific support required
 - Writing and reviewing policies and ensuring staff have access to and understand the policies and procedures
4. Safe School Culture
 - Maintaining an overview of the safeguarding culture within school and monitoring the effectiveness of policies and procedures
 - Raising awareness of safeguarding, including publicising policies to staff, parents and pupils
 - Consulting staff to get their input into shaping the school's safeguarding arrangements
 - Ensuring a DSL or DDSL is always available including during holiday time when trips are taking place to deal with safeguarding concerns

4. Safeguarding Induction and Training

Induction

- a. All staff are sent an e-copy of *Keeping children safe in education* (Sept 2019) Part One and Annex A as part of their appointment procedure which they must read and acknowledge they have done so and understood the content.
- b. Individual or group safeguarding induction briefings are given to all new staff who are required to sign an induction record as an acknowledgement that they have read and understood the policies and briefing.
- c. Induction training for new staff consists of briefings on the following policies: Safeguarding (including the role of the DSLs and how to report child-on-child sexual violence and harassment), Anti-Bullying, Online Safety and Acceptable Use of ICT for Staff, Use of Reasonable Force, Anti-Radicalisation and the Prevent Duty, the Staff Code of Conduct, Pupil Behaviour, Children Missing Education and Whistleblowing.

Training

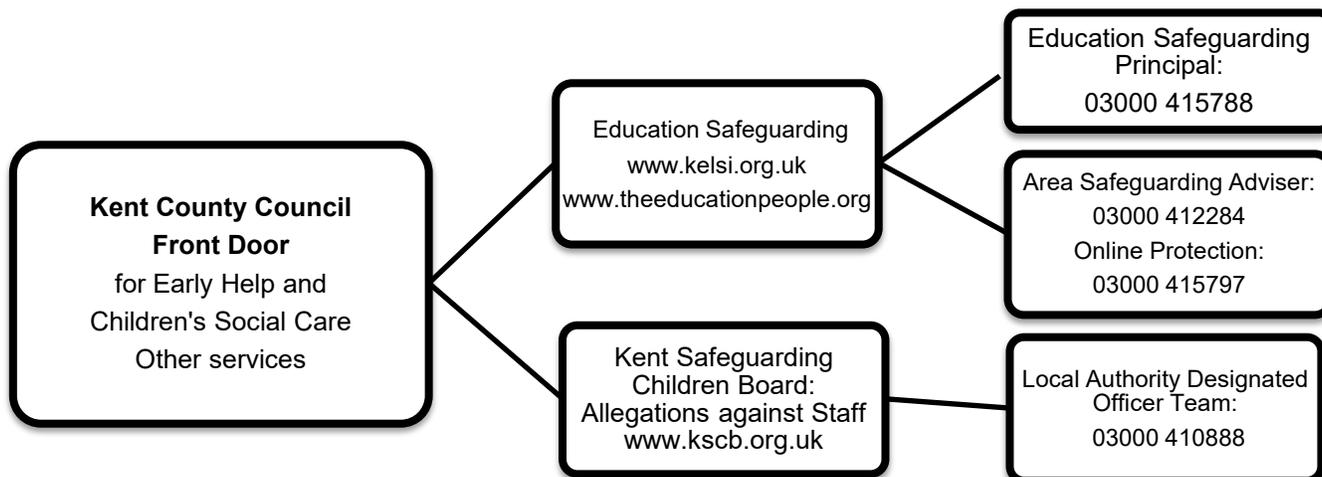
- a. All staff receive training annually and annual briefings on all Safeguarding Policies are given in the Staff Meetings, with minutes circulated to those not in attendance. Additional briefings are given when the policies change. Peripatetic and Associate Staff are asked either to attend annual training at Benenden (in person or via the online briefing) or to produce a certificate of attendance from another training course. They must also read any updates issued during the year. Temporary staff and volunteers are briefed by a DSL but not currently added to the staff log.
- b. All updates from the Department for Education are communicated to staff and signatures or email acknowledgement required for mandatory updates to acknowledge that they have been read and understood.
- c. Staff are briefed about any topics of safeguarding concern which arise during the course of a year. Such topics could include but are not limited to online safety, one-to-one contact, conveying pupils by car, staff-pupil relationships, appropriate physical contact, anti-radicalisation, pupil behaviour etc. Staff can ask for further training in particular safeguarding areas to ensure their practices are kept up to date and for continuing professional development.
- d. All staff are invited to ask for further explanation if there is any element of the Safeguarding training they have not understood.
- e. The Safeguarding Governor and the Chair of Governing Council receive training every two years.
- f. The Safeguarding team attend training every year, to ensure they are kept up to date with local and Department for Education guidelines. This includes training from local agencies at DSL refresher training which covers child protection case conferences, supporting children in need, identifying children at risk of radicalisation, record keeping and promoting a culture of listening to children.

It is the responsibility of individual members of staff to ensure attendance at safeguarding briefings and/or to listen to online presentations and read and acknowledge e-bulletins which are sent out during the year.

5. Working with Kent County Council (the Local Authority and a safeguarding partner)

When dealing with disclosures, concerns, suspicions and allegations, the Safeguarding team work in a multi-agency setting with the Kent Education Safeguarding team, children's social care, the police and health services. All organisations involved in children's care work in line with the guidance given in *Working together to Safeguard Children* (July 2018). The new arrangements for the three safeguarding partners will be put in place by Kent this academic year.

Staff and parents may contact any group directly. The table below has the relevant contact details and outlines the structure of Kent's services.



6. Sharing Information

The new GDPR (General Data Protection Rules) and the UK Data Protection Act 2018, as well as the school Data Protection Privacy Notice outline the data protection principles which contain guidance about sharing information. Special category personal data may be shared to safeguard children at risk. Information may be shared with relevant authorities, without consent of the individual, if there is a risk of harm to a child. For further information on this topic, please see [Information Sharing](#).

7. Recruitment of Staff

All advertisements and job descriptions contain the school's statement on Safeguarding. All staff are recruited according to the guidance in *Keeping children safe in education* (September 2019) and a consolidated register of appointments is maintained and is available for review by the appropriate bodies. A separate [Recruitment Policy](#) is maintained and disseminated to relevant staff by the Head of Human Resources. This policy is ratified by the Safeguarding and Pastoral care Committee annually.

The Senior Management Team and relevant middle managers (Head of HR, Assistant Head Academic, Assistant Director of Boarding, Domestic Bursar) have been trained in 'Safer Recruitment'. This training is updated every five years, the next training being due in September 2019). Such training is available to an extended group of staff - Heads of Department and Housemasters and Housemistresses - as part of their continuing professional development.

8. Safeguarding Pupil Education

The school works with pupils to give them a comprehensive programme of education about how to keep themselves safe, including online. This is carried out through House Order, Form Order, PSHEE, PPD (Personal and Professional Development), Global Awareness, Prayers and IT and informally through tutorials, discussions, modelling of good behaviour etc. A chart is kept of the various education messages and this is reviewed by the

Safeguarding team, to ensure the correct messages are given in a timely manner and through appropriate media.

Sixth Form pupils are given a briefing by a DSL in safeguarding and reporting procedures at the beginning of their VI1 careers then a reminder in VI2.

Parents are sent information via the Parent Bulletin which includes links to safeguarding policies and their attention is drawn to messages being given to pupils via this means as well as through opportunities for talks to parents at Parent-Teacher Meetings, New Students' Days and the Parents' Association Lecture programme.

Section 2: TYPES OF ABUSE AND NEGLECT - RECOGNISING CONCERNS

Abuse is a form of maltreatment. Children may be abused or neglected through the infliction of harm or through the failure to act to prevent harm.

Pupils may be abused in a family or in an institutional or community setting, by those known to them or by a stranger, including wholly online or via means used to facilitate offline abuse. They may be abused by an adult or adults, by a member of staff or a group of staff, another child or children or by a pupil or pupils. Pupils with disabilities, which include those with physical or mental disabilities as well as those with learning difficulties, are particularly vulnerable to abuse.

Staff are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned. They must be aware of the types of abuse and alert to the signs and symptoms and know what to do if they spot something. Staff should also be aware that abuse, neglect and safeguarding issues may not always be stand-alone events. In some cases, multiple issues will overlap with one another. Several low level concerns could be signs of something bigger.

Safeguarding incidents and/or behaviours can be associated with factors outside school and can occur between children outside school. All staff should consider the context within which such incidents and/or behaviours occur. This is contextual safeguarding, which simply means that assessments of children should consider whether wider environmental facts present in a child's life are a threat to their safety and/or welfare. More information on contextual safeguarding can be found here: [Contextual Safeguarding](#)

9. Physical Abuse

Physical abuse is the causing of physical harm to a child. It can lead directly to neurological damage, physical injury and disability. Some physical abuse is reactive; some may be premeditated with the intent to cause harm. Types of physical abuse include: hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child but may also be caused when a parent/carer fabricates symptoms of or deliberately induces illness in a child.

Signs that a pupil has been physically abused include: bruises, abrasions, burns, scalds, bite marks, fractures and scars. Signs which may be indicators of concern include:

- Frequent injuries
- Explanations provided for an injury which may or may not be consistent with the injury
- Parents/carers undisturbed or uninterested by an accident or injury
- Unexplained delay in seeking treatment for an injury
- Repeated presentation for minor injuries which may represent a cry for help
- Reluctance to give information or mention previous injuries
- Children who flinch at sudden movements.

10. Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It has an important impact on a developing child's mental health, behaviour and self-esteem. Types of emotional abuse include:

- Conveying to a child that she is worthless, unloved or inadequate
- Valuing a child only insofar as they meet the need of another person

- Not allowing a child to express her views, deliberately silencing her or making fun of what she says and how she communicates
- Persistently criticising, teasing or humiliating a child
- Imposing developmentally inappropriate expectations on a child such as interactions beyond the child's capabilities, or overprotection, limiting exploration or preventing participation in social interaction
- Causing a child to feel frightened or in danger
- Exploitation or corruption of children
- Allowing a child to see or hear the ill-treatment of another (which may be through domestic violence)
- Bullying or cyberbullying.

Signs of emotional abuse may be difficult to recognise as they are mainly behavioural. They include from the parent/child relationship perspective:

- Abnormal attachment between a child and parent e.g. anxious, upset at the thought of returning home, or no attachment at all.
- Parents who frequently complain about or to the child
- Parents who never praise or give attention to the child
- Parents who are emotionally distant from the child.

From the pupil perspective, they include:

- Failure to thrive
- Behavioural problems such as aggression or attention-seeking
- Low self-esteem, lack of confidence and fearfulness, distress or anxiety about doing something wrong
- Poor relationships such as withdrawn or isolating behaviours
- Delay in achieving developmental milestones.

Some level of emotional abuse is involved in most types of ill treatment of children, though emotional abuse may occur alone.

11. Sexual Abuse

Sexual abuse is the forcing or enticing of a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. Its adverse effects may endure into adulthood and affect the ability to build and maintain effective adult relationships.

The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males; women can commit acts of sexual abuse as can other children. Child sex abusers can come from any professional, racial or religious background.

Children under 16 years of age cannot provide lawful consent to any sexual intercourse, though in practice many are involved in sexual contact to which, as individuals, they may have agreed.

Recognition of sexual abuse is difficult unless the child chooses to disclose and is believed, but signs are likely to be behavioural and emotional. In addition to the list above there may be:

- Sexually explicit conversation or behaviour inappropriate to the child's age
- Self-harm including eating disorders and self-mutilation
- Suicide attempts
- Running away
- Poor peer relationships including unwillingness to be involved or communicate
- Sudden changes in behaviour or extreme mood swings
- Withdrawal
- Depression

- Inappropriately sexualised conduct.

Children can be abused sexually by other children and they can be subject to violence and harassment. You will find more on this in the Peer on Peer Appendix to this policy.

12. Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of the imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child Sexual Exploitation does not always involve physical contact; it can also occur through the use of technology.

Like all forms of child sexual abuse, child sexual exploitation:

- Can affect any child or young person (male or female) under the age of 18 years and will be treated as exploitation if it affects any pupil, including those over 18
- Can still be abuse even if the sexual activity appears consensual
- Can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity
- Can take place in person or via technology, or a combination of both
- Can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence
- May occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example)
- Can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse
- Is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them.

Some young people who are being sexually exploited do not exhibit any external signs of abuse; however, some of the following signs may be indicators:

- Pupils appearing with unexplained gifts or new possessions
- Pupils with older boyfriends or girlfriends
- Pupils who suffer from sexually-transmitted infections or become pregnant
- Pupils who suffer from changes in emotional wellbeing
- Pupils who misuse drugs and alcohol.

Further information from the Department for Education can be found at [Child Sexual Exploitation](#)

13. Neglect

Neglect is the persistent failure to meet a child's basic physical, emotional and/or psychological needs and is likely to result in serious impairment of health and development and long-term difficulties with social functioning, relationships and educational progress.

Types of neglect include failure to:

- Provide adequate food, clothing and shelter (including exclusion from home)
- Protect a child from physical or emotional harm or danger
- Ensure adequate supervision including the use of inadequate care-givers

- Ensure access to appropriate medical care or treatment
- Respond to a child's basic emotional needs.

Signs of general neglect include a child who:

- Is unkempt or inadequately clothed
- Is listless, apathetic or unresponsive
- Frequently and/or inexplicably returns to school hungry
- Fails to receive basic medical care when ill or injured
- Lives in dangerous conditions e.g. around drugs, alcohol or violence
- Thrives away from the home environment but not in it.

14. Honour-Based Violence

Honour-based violence (HBV) encompasses crimes which have been committed to protect the honour of the family and/or the community, including Female Genital Mutilation and forced marriage.

1. Female Genital Mutilation

FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother, and/or death.

The age at which FGM is carried out varies enormously according to the community. The procedure may be carried out shortly after birth, during childhood or adolescence, just before marriage or during a woman's first pregnancy.

Staff should be alert to the possibility of a girl being at risk of or already having suffered Female Genital Mutilation. There is a range of potential indicators that a pupil may be at risk, two of the most pertinent to our circumstances being:

- A pupil mentioning she is going to be or has been subjected to 'a special procedure' connected with 'becoming a woman'
- A parent asking for an extended period of time away from school with an unconvincing explanation for the absence.

Pupils may not be aware of the practice or that it might be conducted on them.

Signs that FGM might already have been carried out include that a pupil may:

- Have difficulty walking, sitting or standing
- Spend longer than normal in the bathroom or toilet
- Have unusual behaviours after an absence from school or college
- Be particularly reluctant to undergo normal medical examinations
- Ask for help, but may not be explicit about the problem due to embarrassment or fear.

Staff should keep an open mind about this form of abuse as it is part of the culture in pockets of various African countries, the Middle East, Indonesia, Malaysia and India, all of which are areas relevant to Benenden. It has also been identified in Europe, North America and Australia. It is believed that FGM may happen to girls in the UK as well as overseas. Girls of school age who are subjected to FGM overseas are likely to be taken abroad (often to the family's country of origin) at the start of the school holidays, particularly in the summer, in order for there to be sufficient time for her to recover before returning to school.

If staff have a concern, they should report this immediately to a member of the Safeguarding team. If a teacher discovers that FGM appears to have been carried out on a girl aged under 18, **they have a mandatory duty to report this directly to the police**. They should also still discuss any such case with the DSL, and involve children's care as appropriate. The DSL can assist with the report to police.

Further information can be found at: [Multi-agency statutory guidance on female genital mutilation and Female-genital-mutilation-procedural-information](#)

The NSPCC runs a helpline on 0800 0283550 and, for reporting concerns to the police, the number is 101 or 999 if it is an emergency.

2. Forced Marriage

A forced marriage is a marriage in which one or both spouses do not consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure. Whilst this is an unlikely form of abuse in our context, it is worth being aware of as some parents do raise concerns about what they perceive as the 'westernisation' of their daughters.

If staff have a concern about any form of honour-based violence, they should speak to a member of the Safeguarding team, usually the DSL, who will contact the Kent Safeguarding Children Board and liaise with police and children's social care.

3. Upskirting

Upskirting involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. This is illegal and must be reported to the relevant authorities.

15. Preventing Radicalisation

Staff must have due regard to prevent people being drawn into terrorism. This statutory duty is part of *The Counter-Terrorism and Security Act 2015*. The legislation is explained in *The 'Prevent' Duty Guidance (July 2015)* which outlines the role schools and other specified authorities have in reducing the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. You will find the policy under [Safeguarding 5: Anti-Radicalisation](#). You can also find out more about the *Prevent* strategy at [The Prevent Duty: Departmental Advice for Schools \(June 2015\)](#) and [The use of social media for online radicalisation \(July 2015\)](#). Staff should be aware that, if they have concerns about pupils being drawn into terrorism, the route for referring pupils is, in the first instance, via the DSL for low level concerns and the process outlined in Section 3 can be used. Emergency referrals should go straight to the police.

16. Children Missing Education

As a boarding community it is unlikely for a pupil to go missing in education. However, it is possible that a child may not return from time at home and we might have to report her missing. This process is detailed in a separate policy: [Children Missing Education](#)

17. Other Forms of Abuse

Information about other forms of abuse can be found on page 15 and in Annex A of [Keeping children safe in education \(Sept 2019\)](#). They include domestic violence, drugs, faith abuse, hate, gangs, mental health and relationship abuse.

18. Peer on Peer Abuse including Sexual Harassment and Sexual Violence – see Appendix 1

Abuse is not only the provenance of adults. Young people can also be abusers of their peers and such abuse is illegal just as it would be if perpetrated by an adult. The most likely issues to involve some form of peer on peer abuse in our context are bullying, cyberbullying and sexting. Pupils with SEN or disabilities could be more vulnerable to peer on peer abuse and be disproportionately impacted by things like bullying or cyberbullying without showing any outward signs. Staff must bear these vulnerabilities in mind when responding to allegations and dealing with incidents.

19. Sexting (Youth Produced Sexual Imagery (YPSI))

Youth Produced Sexual Imagery and the Law

Please also refer to information on upskirting above.

Youth produced sexual imagery is the creating and sharing of sexual photos and videos of under 18s and is illegal. This means that making, possessing, showing and distributing imagery of someone under 18 - including yourself if you are under 18 - is illegal.

- 'Youth produced' includes young people sharing images they, or another young person, have created of themselves
- 'Sexual' imagery is imagery which contains a naked young person, a topless girl, and/or a display of genitals or sexual acts, including masturbation. It may also include overtly sexual images of young people in their underwear.
- 'Imagery' covers both still photos and moving videos.

The types of incidents which this advice covers are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18

The relevant legislation is contained in the *Protection of Children Act 1978 (England and Wales)* as amended in the *Sexual Offences Act 2003 (England and Wales)*. Guidelines from the UK Council for Child Internet Safety can be found here: [Sexting in schools and colleges](#) and the Department for Education here [Searching, Screening and Confiscation](#).

In order to avoid the criminalisation of young people, not all youth produced sexual imagery which is investigated by the police will result in a prosecution, even if there is enough evidence to do so. The police will record their decision not to prosecute and this is likely not to have a negative impact long term on the young person.

Receiving a YPSI Disclosure

If a pupil makes a disclosure, you should contact the Safeguarding team to discuss the course of action to be taken. This is likely to be in line with the normal Receiving and Reporting a Disclosure (found later in this Policy). Disclosures can come via a number of routes – from pupils, parents/family members, and staff and from members of the public. There are a few rules to observe in the receiving of the disclosure which are:

1. Searching a device
 - a. DO NOT search a device unless there is an immediate problem as this is likely to cause significant embarrassment/additional stress to the victim.
 - b. DO NOT print out any material as evidence or move any material from one storage device to another e.g. by asking a pupil to forward the image to you (you could be committing an offence).

2. What to do and not to do with the image
 - a. DO confiscate and secure the device and bring it to the Safeguarding team when you pass on the disclosure.
 - b. DO NOT view the image unless there is a clear reason to do so.
 - c. DO NOT ask the pupil to send, share, move or save the image and do not do these things yourself (this could be an offence).
 - d. DO block access to the image and prevent its distribution if possible.
3. Inform the Safeguarding team immediately (the DSL or Online-Safety Officer are the most appropriate members to contact).

Response to YPSI Disclosure

A brief summary of the actions to be followed are given below, however, the Safeguarding team should use the full guidance from UKCCIS: [Sexting in schools and colleges](#)

- i. The incident should be referred to the DSL as soon as possible who will then hold an initial review meeting with appropriate staff. At this stage the image should not be viewed without good cause - there are times when this is unnecessary and causes extra stress.
- ii. The DSL will consider whether an offence has been committed and whether a referral might be necessary. The DSL will inform the Head (or Deputy in her absence) if an offence has been committed and/or a referral needs to be made
- iii. There should be interviews with the young people involved (if appropriate)
- iv. Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm. Referrals can be made without parental consent if necessary.
- v. A decision will be made whether or not to inform the police and consideration will be given to the need to secure a device for the police
- vi. If the police are not to be informed, consideration must be given to the searching, viewing and deleting of images.
- vii. Decide on a response and record the discussions/decisions
- viii. Contact other agencies as appropriate
- ix. Evolve a strategy for containing the incident and managing student reaction
- x. Review the outcome and procedures to prevent further incidents
- xi. At any point in the process if there is a concern a young person has been harmed or is at risk of harm a referral should be made to children's social care and/or the police immediately.

There is further information on bullying and cyberbullying in the [Anti-Bullying Policy](#) which might need to be used in conjunction with this guidance.

20. Lesbian, Gay, Bi-sexual or Transgender (LGBT)

Pupils who express a curiosity about, an interest in or who identify as LGBT or who are gender-fluid can be particularly vulnerable to some form of abuse. There is a forum for students to meet and discuss issues, which is led by a strong set of older pupils, who are represented on the Equality and Diversity Committee (chaired by a Deputy DSL). Staff should be alert to negative comments or actions against such pupils and report this immediately.

The School also has a [Transgender policy](#) which provides guidance about how to respond to a pupil who expresses an interest in transitioning.

21. Listening to Young People

In order to help pupils, we need to listen to what they say. Pupils have a number of routes to seek help; they can talk to:

- Prefects including the Pupil Support Prefects

- Heads and Deputy Heads of Houses
- House staff, Tutors and teachers
- The Head and other members of SMT
- Heads of Year
- Pastoral Staff including: the Chaplain, the Deputy Head Boarding and Pastoral and the Assistant Director of Boarding and Pastoral
- The Safeguarding team
- The Medical Staff including the School Doctor and the Counsellors
- Parents
- The Independent Listener
- External helplines such as ChildLine

Section 3: WHAT TO DO IF YOU HAVE A CONCERN ABOUT A PUPIL – RESPONDING AND REFERRING

22. Concerns about a Child

There are many levels of concern about pupils some of which require immediate action and collaboration with external agencies, while others are at a much lower level and can be dealt within the normal internal school structures. This section deals with the different types of referrals which can be made when there is a concern about a pupil.

Staff should report a concern even if they do not have proof that their concern is justified, as any form of help is better than waiting to see if concerns are confirmed and potentially escalate.

Staff should recognise that pupils with special educational needs and/or disabilities are particularly vulnerable. Pupils are also vulnerable when they are in one-to-one situations with an adult. Please give due recognition to both of these circumstances when assessing whether or not you have a concern about a pupil.

23. Extra Support within School

If you have a concern about the welfare of a pupil (i.e. you are worried about her wellbeing but do not think she is being abused or neglected or in danger) you must let either a member of the House Team (Hm, DHm, Matron or Tutor) or a member of the Safeguarding team know. An assessment can then be made about how to help the pupil. House staff should report in to the DSL any concerns so an agreement can take place about how to care for the pupil. There is support available in school from boarding staff and tutors, medical staff including the School Medical Officer, counsellors and an Independent Listener.

24. External Help

When you have a safeguarding concern about a pupil you need either to talk to a member of the Safeguarding team, usually the lead DSL, or you can go straight to external agencies.

There are several levels of help available depending on the degree of need the pupil has. [Keeping children safe in education \(Sept 2019\)](#) provides a chart to be used when you are not sure where to refer a concern to. You may also find [What to do if you're worried a child is being abused](#) helpful and the NSPCC website also provides useful information. If you are unsure, please speak to the DSL.

Kent County Council (the local authority and one of the safeguarding partners) provides services with four tiers to support children.

Tier 1 Universal services

Children are supported by their families and universal services meet their needs. Universal services include parenting, health and education.

Tier 2: Additional Services

If any member of staff has a concern about a pupil's safety or welfare, or considers a pupil could benefit from some form of intervention to prevent harm happening, he/she **must** act in the pupil's interests to seek help. All staff must be prepared to seek help, usually by discussing the concern with the DSL who will then seek support from other agencies as necessary. Staff may be required to support other agencies in an assessment. Cases

must be kept under review and consideration given to a higher level of referral if the child's situation does not improve. At this level, the pupil is unlikely to qualify for Early Help provided by the local authority (LA), but the DSL will speak with the LA and ask if there are any services which the pupil and/or her parents can access.

Staff should be alert to the potential need for early help for a pupil who:

- Is disabled and has specific needs
- Has special educational needs
- Is showing signs of being drawn into anti-social or criminal behaviour
- Is misusing drugs or alcohol
- Is living in difficult circumstances at home
- Is at risk of being radicalised or exploited
- Is showing early signs of abuse or neglect.

Tier 3: Child in Need referral to Integrated Front Door

Where intensive or specialist support is needed, including Early Help, the [Single Request for Support Form](#) must be completed. A child in need is defined as one who is unlikely to achieve or maintain a reasonable level of health or development, or whose development is likely to be significantly or further impaired without the provision of services. Children in need may be assessed under section 17 of the children Act 1989

Tier 4: Child at Risk: referral to Integrated Front Door

If there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, the local authority and other organisations have a duty to make enquiries under section 47 of the Children Act 1989. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment.

Pupil in Danger or at Risk

Where a child is suffering, or is likely to suffer harm, an **immediate** referral to children's social care and, if appropriate, the police, must be made aware. Staff can go direct or via the DSL to Kent County Council Front Door for children's social care. Parental consent is not required for a referral.

- office hours tel. **03000 41 11 11**
- email social.services@kent.gov.uk
- out-of-hours and emergency tel. 03000 419191
- www.kelsi.org.uk contains the current route to the Front Door but this will move to www.theeducationpeople.org at some stage this year.

The Police tel. 999 must be contacted if a crime has been committed.

The referral is usually made by the DSL, though anyone can make a referral and should inform the DSL as soon as possible if they have done so. Emergency referrals to external agencies do not require parental consent. Section 17 (a child in need) and section 47 (a child is suffering or likely to suffer significant harm i.e. child at risk) must always be reported to the DSL or external services. If the DSL is not available, this should not delay appropriate help being sought.

With all referrals via the Front Door, the case will be assessed and there will be some form of screening by a Duty Senior within 24 hours. Following that there are three likely outcomes:

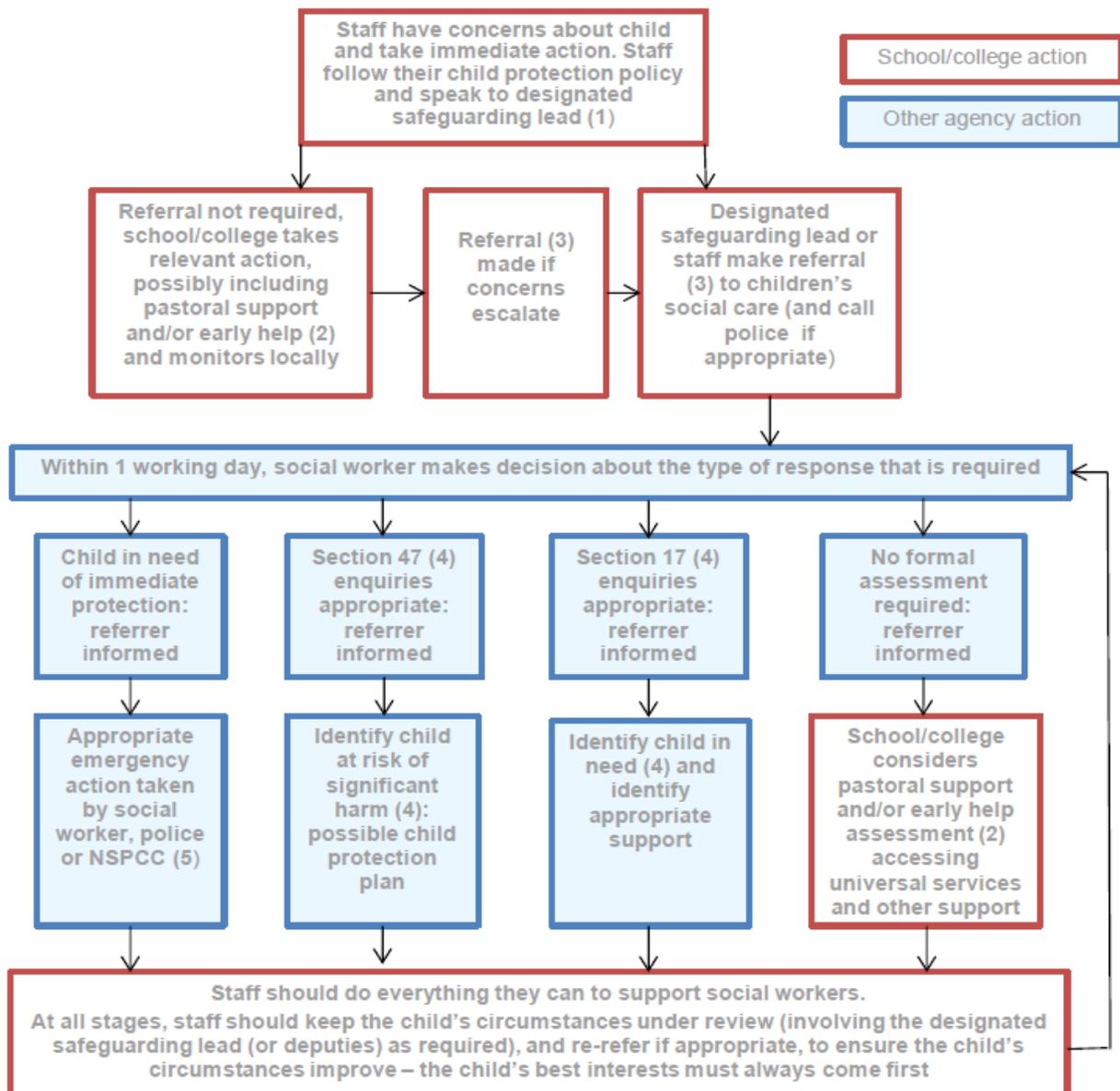
- I. Pupil referred back to school for school or universal services support and referral is closed
- II. Pupil meets the criteria for a 'child in need' and is offered Early Help or Statutory Social Care such as 'Team around the Family' support
- III. Pupil meets the child protection criteria and the Kent Child Protection Procedures will be invoked.

All concerns, discussions and decisions made and the reasons for those decisions must be recorded in writing. Staff should discuss what kind of records they need to keep with the DSL.

If, after a referral, the child's situation does not appear to be improving, the referrer should ask the local agencies for a review to ensure the child's situation continues to improve.

[KCSIE](#) provides the chart below which can help with deciding which route you/ and the DSL must follow.

Actions where there are concerns about a child



25. Receiving, Responding to and Reporting a Disclosure

Any adult to whom abuse is disclosed by a pupil has a duty to listen to the pupil, to provide reassurance, and record the pupil's statements. Where a pupil reports that they have been abused by another pupil, the procedures below should still be followed but they will be adapted according to guidance received from the KSCB at that time.

The UK Data Protection Act 2018 is not a barrier to sharing information where a failure to do so would place a pupil at risk of harm. Fears about information sharing must not stand in the way of a pupil being protected. There is guidance on this at: [Information Sharing](#)

Process of Receiving a Report from a Pupil

1. Do not promise confidentiality. If a child asks you to keep a secret, explain that, in order for her to receive the help and support she needs with a serious problem, it may well be necessary for you to speak to someone else. Emphasise that no one will be told who does not need to be told.
2. Listen carefully being non-judgemental, supportive and respectful. You may have another adult with you if the child agrees to this.
3. Do not ask leading questions which put ideas into the child's mind. Ask open questions such as what, when, where.
4. Wait until the end of the disclosure and immediately write up a summary only recording the facts as the child presents them. Do not include any personal opinions of the note-taker.
5. Where the disclosure includes an online element, take care not to view or forward illegal images (see part 18 of this policy). You may take possession of a device with illegal images.
6. Having listened to the child, tell a member of the Safeguarding team as soon as possible and discuss any action that may be required immediately (e.g. the child may need to be protected) and the type of referral to be made.

Action to be taken by the Safeguarding team as a result of a disclosure

1. Assess the seriousness of the allegation, taking into consideration the wishes of the child in determining what action to take.
2. Take immediate action necessary to protect pupils, calling 999 if a child is in immediate danger.
3. Report any concerns to the Front Door (the Head will report to the LADO if there is an allegation against a member of staff) immediately. N.B. When deciding in borderline cases whether or not to make a referral concerning a member of staff, the Head will consult the LADO.
4. Do not attempt to investigate the allegations or do anything that might jeopardise a police investigation.
5. Follow [the Kent and Medway Safeguarding Children Procedures, Working Together to Safeguard Children \(July 2018\)](#) and [Keeping children safe in education \(Sept 2019\)](#)
6. Follow up on any advice given by the LADO or Front Door staff.
7. Make a written record of all actions on the Pupil Concern Form (Green Form) and save these in the Safeguarding area of the Portal. Paper copies will also be printed at intervals and stored in the secure locked cupboard in the Deputy Head Boarding and Pastoral's office.

Actions taken by the local authority

The local authority should make a decision within one working day of a referral being made, about the type of response that is required and should let the referrer know the outcome. This will include determining whether:

- The child requires immediate protection and urgent action is required
- Whether the child is in need, and should be assessed under section 17
- There is reasonable cause to suspect the child is suffering, or likely to suffer, significant harm, and whether enquiries must be made and the child assessed under section 47
- Any services are required by the child and family and what type of services

- Further specialist assessments are required in order to help the local authority to decide what further action to take

Some one from the local authority will see the child as soon as possible if the decision is taken that the referral requires further assessment. The referrer must follow up if this information is not forthcoming.

If social workers decide to carry out a statutory assessment, staff should do everything they can to support that assessment.

N.B. If the child's situation does not appear to be improving, staff should press for reconsideration. Concerns should always lead to help for the child at some point.

Section 4: Advice to Staff

26. Professional Expectations and Boundaries

Members of staff should ensure that their behaviour and/or actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil. One-to-one tuition, tutorials, sports coaching, music or drama lessons and escorting pupils to appointments outside school all present potentially dangerous situations which need careful managing. E-communication also presents a potential area of difficulty, as does staff access to boarding accommodation. **Further guidance** in these areas is given in the [Staff Code of Conduct](#), [Staff Driving Pupils Agreement](#) and [Online Safety and the Acceptable Use of ICT Policies](#).

It would contravene the professional expectations of members of staff for them to have any form of sexual relationship with a pupil of any age. Members of staff should be aware that:

- It is an offence to have a sexual relationship with a pupil of any age, even those over 16, as all staff are in a position of trust in respect of pupils. Such a relationship would constitute an abuse of trust under the Sexual Offences Act 2003 (amended 2007).
- They must not incite one pupil to have sex with another nor to watch a sexual act either live or via media such as the internet
- They must not engage in sexual activity in front of a pupil
- Talking about a pupil in a suggestive or sexual manner or about her appearance is inappropriate.

27. Grooming Behaviours

Staff should be alert to the behaviour of others around pupils to spot grooming and to prevent abuse happening. Grooming is the process by which an individual prepares a child, significant adults and the environment for abuse of the child.

The perpetrators manipulate their victims over a period of time - sometimes years - gradually gaining the person's trust, desensitising and sexualising them for the purposes of abuse. Victims are taught to respect, trust and sometimes love their perpetrator and the betrayal of that trust can result in severe long-term trauma.

The process of grooming typically involves a gradual move from attention-giving, through non-sexual touching, then to more intrusive and intimate behaviours.

Whilst these are not always signs of grooming, staff should be aware of adults who show any of the signs listed here. This is a very rough guide of what might be considered a concern. It is by no means exhaustive and in no particular order.

1. Comments that safeguarding is taken too seriously
2. Giving children personal notes or gifts
3. Unusual degree of familiarity or favouritism shown by adult
4. Regular physical contact between staff and pupils
5. Spending significant amounts of free time with pupils
6. Seeing children outside the workplace and/or in the holidays
7. Wanting to transport children outside of normal structures and also alone
8. Comments about the physical appearance of pupils
9. Making sexually suggestive remarks to pupils
10. Giving out personal telephone numbers
11. Photographs of children on an adult phone
12. Phoning pupils without due cause.

Section 5: RESPONDING TO AND REPORTING A CONCERN ABOUT A MEMBER OF STAFF

28. Concerns about Staff

If a member of staff has a safeguarding concern about the behaviour of another member of staff, this should be referred to the Head. Staff may first consider discussing concerns with the DSL and make a referral via her only if the concern does not amount to an allegation of abuse. Staff will be provided with immunity from retribution or disciplinary action for reporting a concern in good faith and should be reassured that effective support will be provided to those subject to an allegation and those who make one.

This guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children. It is to be used when it is alleged that a member of staff or volunteer has:

- Behaved in a way that has or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child/children in a way that indicates he/she may pose a risk of harm to children

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

Many cases may well either not meet the criteria set out above, or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, local arrangements will be followed to resolve cases without delay.

29. Reporting Allegations of Abuse against Benenden Staff

If an allegation of abuse is made against a member of staff or volunteer, there is an obvious need to act immediately, quickly and with discretion.

1. The informant should report the matter to the Head who will report the allegation immediately (and certainly within one working day) to the LADO team on 03000 410888 and will inform the Chair of Council. She may also inform the police. The Head's PA has a contact number for her or will provide a contact number for her if she is out of school. If the Head is unavailable, allegations may be reported to the Chair of Council or Safeguarding Governor as soon as possible (see contact details below).
2. In the event of the allegation involving the Head, any concern should be expressed directly to the Chair of Council, without informing the Head first. If she is unavailable, the Chair of Safeguarding Committee should be contacted.

Chair of Council: Anna Birkett

Phone: Ext 6997 (Direct: 01580 236997)

Email: cmabirkett@benenden.school

Chair of Safeguarding Committee: Wendy Carey

Phone Ext 6717 (Direct: 01580 236717)

Email: CMWCarey@benenden.school

Staff should be reassured that effective support will be provided to those subject to an allegation and those who make one.

30. Consideration for the Employee when a Safeguarding allegation is made

When an allegation is made against a member of staff, the school will seek to minimise the stress inherent in the allegations process. Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They will also be given access to counselling.

The case manager (usually the Head) will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. Particular care will be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends will not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Where the employee is a member of the boarding staff resident in a boarding house or a member of staff resident on site, it might be necessary for them to be accommodated off site during an investigation. The school recognises the disruption this causes to staff private lives and will seek to help with appropriate accommodation.

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated. Parents and pupils will be made aware of the prohibition on reporting or publishing allegations about teachers during an investigation before the accused has been charged with an offence, or the Secretary of State or the Teaching Regulation Agency publish information about an investigation or decision in a disciplinary case arising from an allegation. Reporting restrictions do not apply if the individual waives their right to anonymity or a judge lifts restrictions.

31. Procedures for dealing with Allegations against Staff

The case manager will follow the advice set out in [Keeping children safe in education \(Sept 2019\)](#), [Working Together to Safeguard Children \(July 2018\)](#) and [Kent and Medway Safeguarding Children Procedures](#).

In outline, the guidance advises that the Head/Case Manager must:

1. Take any necessary immediate action to protect individual pupils. (The school recognises that no investigation of the allegations can be undertaken before consultations with the LADO and the police have taken place, so as not to jeopardise a police investigation.)
2. Consult with the LADO
 - a. This will focus on the nature, content and context of the allegation and whether or not the police should be informed.
 - b. The initial sharing of information and evaluation may lead to a decision that action or no further action is to be taken with regard to the individual who is subject to the allegation.
 - c. There may need to be a strategy discussion – see [Working Together to Safeguard Children \(July 2018\)](#) for guidance - or police or children's social care services might need to be involved and a decision may need to be taken about whether or not to suspend the person, all of which should take place before the individual is informed. Due weight will be given to the views of the LADO, KCSIE and WT when making a decision about suspension.
 - d. Communication with the individual and the parents must be agreed.
 - e. The case manager will take advice from the LADO, police and children's social services to agree:
 - i. Who needs to know and exactly what information can be shared
 - ii. How to manage speculation, leaks and gossip
 - iii. What, if any information can reasonably be given to the wider community to reduce speculation

- iv. How to manage press interest if it arises.
- f. The consultation will be recorded in writing.
- 3. Inform the accused person about the allegation as soon as possible after consulting the LADO and any other agencies the LADO considers should be involved.
- 4. Tell the parents/carers of the child about the allegation as soon as possible and make the parents aware of the requirement to maintain confidentiality about any allegations against teachers whilst the investigation is ongoing. Consider what support will be needed for the child and parents about whom the allegation has been made.
- 5. Consider what support is needed or any action which should be taken in respect of the person making the allegation.
- 6. Keep the Chair of Council informed of all allegations and ongoing investigations and their outcomes.

Exit Arrangements and Referrals

If the accused person resigns or ceases to provide their services, allegations will be followed up. The school will refer promptly to the Disclosure and Barring Service any person whether employed, contracted, a volunteer or a student who has harmed or poses a risk of harm to a child or vulnerable adult;

- Where the harm test is satisfied in respect of that individual
- Where the individual has received a caution or conviction for a relevant offence; or if there is a reason to believe that an individual has committed a listed relevant offence
- Where that individual has been removed from working (paid or unpaid) in regulated activity, or would have been had they not left.

In this context, ceasing to use a person's services includes: dismissal; non-renewal of a fixed-term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training or volunteering.

The school recognises the duty to consider making a referral to the Teaching Regulation Agency (TRA) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) if the conduct does not reach the DSB threshold and where a prohibition order might be necessary instead. In this case the guidance [Teacher misconduct: the prohibition of teachers \(October 2015\)](#) and information on the TRA website will be used. The reasons that such an order would be considered are:

- Unacceptable professional conduct
- Conduct that may bring the profession into disrepute
- Conviction at any time for a relevant offence.

The school recognises making a compromise/settlement agreement could constitute a criminal offence by the school and that compromised agreements cannot be used to prevent a referral being made.

Outcomes of Investigations

Allegations found to be malicious will be removed from personnel records. For all other allegations, the following will be kept on the confidential file of the accused and a copy provided to the accused:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- A note of any action taken and decisions reached, will be kept on the confidential personnel file of the accused.

The purpose of the record is to enable accurate information to be given in response to any future reference request, where appropriate. The record will be retained until the accused has reached normal pension age or for a period of ten years from the date of the allegation if that is longer.

Cases in which an allegation is proven to be false, unsubstantiated or malicious will not be included in employer references.

6. Monitoring Safeguarding

32. How Safeguarding Practices are monitored

The work of the Safeguarding team is monitored by the Council's Safeguarding Governor who runs the Council Safeguarding and Pastoral Care Committee. This committee consists of three members of Council, (the Safeguarding Governor, the Boarding Governor and one other) the DSL, the Deputy DSLs and the Child Protection Officer. The Prevent Lead (Anti-Radicalisation Officer) is also invited at least once a year.

The Safeguarding Governor reviews with the Safeguarding Committee the procedures and the efficiency with which the related duties have been discharged, including any cases which have arisen, then reports the outcome of this review to Council annually. In the event of an allegation being substantiated, each case will be reviewed to determine whether there are any improvements to be made to the school's practices, to help prevent similar events in the future.

This policy is written to comply with advice given in:

- ***Working Together to Safeguard Children (July 2018)***
- ***Kent and Medway Safeguarding Children Procedures, (October 2017)***
- ***What to do if you're worried a child is being abused (March 2015)***
- ***Keeping children safe in education (September 2019)***
- ***Teaching online safety in school (June 2019)***
- ***Sexting in schools and colleges***, produced by the UK Council for Child Internet Safety (UKCCIS Sept 2016)
- ***Briefing Note: Police action in response to youth-produced sexual imagery*** (College of Policing Nov 2016).
- ***Child Sexual Exploitation (February 2017)***

The committee reviews Safeguarding Policies annually and the Safeguarding 1: Child Protection Policy is then passed to the full Council for further review. Updates are given to staff via e-communication and in Staff Meetings when they are made available by the Department for Education and the Independent Schools Inspectorate.

33. What to do if you have a concern about Safeguarding Practices

All staff should feel able to raise concerns about poor or unsafe practices and potential failures within the school's safeguarding regime. You have a responsibility to speak up if you have a concern. Please talk to any member of the Safeguarding team about your concerns. If you need further assistance, you can:

1. Speak to another member of staff and ask them to accompany you to relay your concerns
2. Speak to the school's Independent Listener, Helen Commander, who can guide you towards help. Her email address is helenjcommander@gmail.com
3. Use the School's [Whistleblowing Policy](#)
4. Call the NSPCC whistleblowing helpline 0800 0280285 or email their helpline on help@nspcc.org.uk

34. Policy Review Dates and Publication

- Alison Steven (DSL) 20.8.18
- Alison Steven (DSL) 6.10.18
- Ratified by the Council Safeguarding and Pastoral Care Committee 08.10.18
- Ratified by Benenden School Governing Council 07.12.18
- Alison Steven (DSL) 6.1.19
- Anne Wakefield (DSL) 9.9.19

Next Review by the DSL

Sept 2020

This policy is available to current and prospective parents in both the Parents Information Booklet, published annually, and on the open section of the school website. A copy is sent to all parents in the Parent Bulletin annually. An adapted version is available in the Student Handbook which is published on the School Portal and on House Noticeboards.

All staff must follow this policy: failure to do so is a disciplinary offence.

APPENDIX 1: PEER ON PEER ABUSE INCLUDING CHILD ON CHILD SEXUAL HARRASSMENT, SEXUAL VIOLENCE AND CRIMINAL VIOLENCE



BENENDEN

Peer on Peer Abuse

Abuse is not only the provenance of adults; young people can also be abusers of their peers. Peer on peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships, both intimate and non-intimate. Types of peer on peer abuse include:

1. Bullying including physical abuse
2. Cyberbullying including sexting (Youth-Produced Sexual Imagery)
3. Child sexual exploitation
4. Sexual violence, sexual harassment and other harmful sexual behaviours
5. Initiation/hazing type violence and rituals
6. Upskirting

Sexual Violence and Sexual Harassment

KSCIE Sept 2109 places particular emphasis on this new category of abuse.

1. Sexual violence (definition from Sexual Offences Act 2003)
 - a. Rape: penetration of the vagina, anus or mouth by the penis of another person when consent has not been given nor is believed to have been given
 - b. Assault by penetration: male/female penetrates the vagina or anus of another person with a part of his/her body or something else, the penetration is sexual and neither believes consent has been given
 - c. Sexual assault: s/he intentionally touches another person sexually and neither believes consent has been given

Consent

- Is agreeing by choice to vaginal, anal or oral penetration when one has the mental capacity to make that choice
- May be given for one type of activity but not others
- May have conditions attached e.g. a condom must be worn
- Must be given every time
- Can be withdrawn at any time including during the activity.

2. Sexual Harassment

- a. Defined as 'unwanted contact of a sexual nature' that can occur online or offline.
- b. Child sexual harassment 'is likely to violate a child's dignity and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment'.
- c. Types of sexual harassment can include:
 - i. Sexual comments such as telling sexual stories, lewd comments, using sexualised names, making sexual remarks about clothing or appearance
 - ii. Sexual 'jokes' or taunting
 - iii. Physical behaviour such as deliberate brushing against someone, interfering with someone's clothing, displaying pictures of a sexual nature
 - iv. Online sexual harassment such as non-consensual and consensual sharing or sexual images or videos, inappropriate sexual comments on social media, exploitation, coercion and threats.
- d. Sexual harassment may stand alone or part of a wider picture including sexual violence.
- e. Sexual harassment must be challenged to avoid creating an atmosphere that normalises inappropriate behaviours.

3. Harmful Sexual Behaviours

- a. This term covers developmentally inappropriate, problematic, abusive and violent behaviour.
- b. Signs, indicators and effects of harmful behaviours are identified by the NSPCC (see below)

NSPCC Stages of Normal Sexual Behaviour

1. Infancy to 4: Behaviours such as hugging and kissing; showing curiosity about body parts
2. Young children from 5 – 9: children become more aware for the need for some privacy, are still curious about body parts but respect privacy, try to shock by using some swear and sex words they have heard
3. Pre-adolescents 10 – 12:
 - a. Become more curious about sex and sexual behaviour through 'dating', hugging and kissing other children
 - b. Ask about relationships and sexual behaviour
 - c. Look for information about sex (we must ensure they don't find online pornography)
 - d. Are interested in other people's bodies and the changes that happen at puberty.
4. Adolescents 13 – 16
As puberty kicks in, sexual behaviour becomes more private with:
 - a. Longer lasting relationships including hugging and kissing
 - b. Being interested and asking questions about body parts, relationships and sexuality
 - c. Using sexual language and talk about sex with friend
 - d. Looking for sexual pictures or online pornography
 - e. Experimenting sexually with the same age group.

The majority of children who show harmful sexual behaviours do not go on to become adult sex offenders.

Harmful Sexual Behaviours

Harmful sexual behaviour includes:

- Using sexually explicit words and phrases
- Inappropriate touching
- Using sexual violence or threats
- Full penetrative sex with other children or adults
- Children of two or more years' difference in age involved in sexual behaviours with the caveat that a younger child can abuse an older child particularly if they have power over them.

Family histories and backgrounds can have an impact on the sexual behaviour of children.

At the more extreme end of the continuum, research suggests that:

- Boys who are sexually abusive might have grown up in an environment where their physical or verbal expressions of distress or arousal were not understood but met with angry or fearful responses.
- Girls who are sexually abusive might have grown up in chaotic and dysfunctional family backgrounds with higher levels of sexual victimisation than males, higher levels of other forms of abuse, frequent exposure to family violence and often very problematic relationships between parents.

Pupils with Special Educational Needs and Disabilities are more vulnerable to peer on peer abuse and can be disproportionately impacted without showing any outward signs. Staff need to be aware of this.

This policy should be read (if relevant to the individual concern) in conjunction with:

- [Sexual Violence and Sexual Harassment Between Children in Schools and Colleges \(May 2018\)](#)

- [Sexting in Schools and Colleges](#) UK Council for Child Internet Safety (January 2017)
- [Keeping children safe in education](#) (Sept 2019)

Serious Violence/ Criminal Exploitation

We need to be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime, criminal exploitation or County Lines. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries.

Unexplained gifts or new possessions could also indicate that a pupil has been approached by, or is involved with, individuals associated with criminal networks or gangs. Further advice is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults: county lines guidance.

Preventing Peer on Peer Abuse

Staff Training

The School actively seeks to raise awareness of and prevent all forms of peer on peer abuse by:

1. Training all staff in the nature and prevalence of and effect of peer on peer abuse including how to prevent, identify and respond to it. This includes contextual safeguarding, identifying specific behaviours and the importance of taking seriously all forms of peer on peer abuse no matter how low level they may appear.
2. Ensuring that all peer on peer abuse issues are reported to the Safeguarding team so trends can be spotted and addressed and individual pupils can be identified and supported
3. Encouraging staff to take every opportunity to challenge attitudes which underlie such abuse
4. Requiring staff to report cases of peer on peer abuse promptly so they can be responded to quickly and appropriately.

Pupil Education

It is part of Benenden's [Aims](#) to encourage pupils to value themselves and each other. We have a culture in which pupils are well behaved and infused through the pupils' education is the need for them to learn to be responsible and considerate citizens. To minimise the risk of a pupil becoming an abuser, the school:

1. Encourages and responds positively to good behaviour, seeking to reinforce and reward such behaviour
2. Educates pupils about safe and healthy relationships, respectful behaviour, body confidence and self-esteem
3. Educates pupils about Safeguarding and Child Protection, including peer on peer abuse
4. Educates pupils that sexual violence and sexual harassment is always wrong
5. Seeks to create an open culture in which pupils can share their concerns openly and be listened to
6. Works with student leaders to prevent poor or abusive behaviour and to encourage positive behaviour
7. Reminds pupils regularly what to do if they witness or experience or have reported to them any form of abuse.

Identifying Peer on peer Abuse

Staff should recognise that peer on peer abuse is abuse. It must not be tolerated and regarded as 'banter' or part of growing up. The term applies to any abuse performed by one pupil on another, regardless of their ages.

Signs that a pupil might be suffering from peer on peer abuse overlap with those indicating other types of abuse. Section 2 of this policy contains further information on these. Abuse affects individuals very differently so it is difficult to specify the signs, however, peer on peer abuse symptoms might include:

- Experiencing difficulties with emotional wellbeing or mental health
- Becoming withdrawn; experiencing headaches, stomach aches, anxiety and/or panic attacks
- Changes in behaviour including alcohol or substance abuse

- Changes in appearance and/or starting to act in a way which is not appropriate for the pupil's age
- Abusive behaviour towards others.

Where a pupil exhibits behaviour which is out of character for her age, staff should always consider whether an underlying concern is contributing to the behaviour.

In all cases of peer on peer abuse, there is an imbalance of power within the relationship. This inequality will not always be the result of an age gap. It may be the result of relative economic or social status.

Peer-group dynamics play an important part in determining a pupil's vulnerability to abuse. Staff should be alert to the differing behaviours pupils exhibit. Some may tend to follow, some might be socially isolated from their peers; others might be questioning or exploring their sexuality. These factors could make pupils more vulnerable to peer on peer abuse. Also, we must recognise that the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators), but that all peer on peer abuse is unacceptable and will be taken seriously.

The [Sexual Behaviours Traffic Light Tool](#) is helpful in identifying normal and abnormal sexual behaviour.

Staff should seek advice from the Safeguarding team if they have any concerns about a pupil and should take into consideration the special educational needs/disabilities of a pupil when considering her behaviour.

Responding to Allegations and Concerns

Where a concern is raised about peer on peer abuse, there is a need to act swiftly and sensitively. All concerns/allegations will be investigated thoroughly. All victims should be reassured that they will be taken seriously and that they will be supported.

If a member of staff thinks that a pupil may be at risk of or experiencing abuse by their peers, or that a pupil may be at risk of or may be abusing their peer(s), they should discuss their concern with the DSL without delay in accordance with Section 3 of this policy. A course of action will then be agreed, which will include speaking to the pupil's parents.

If a pupil speaks to a member of staff about peer on peer abuse she has witnessed or is a part of, the member of staff should listen to the pupil and again follow the guidance in Section 3 of this policy (see page 19). In summary, the guidance asks staff:

1. Not to promise confidentiality
2. To listen carefully and supportively and to make notes after the pupil has finished speaking
3. To speak to a member of the safeguarding team as soon as possible

Action by the DSL

1. The DSL will use his/her professional judgement to determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required.
2. In borderline cases, the DSL will consult with children's social care or other external agencies to determine the most appropriate response.
3. Where the DSL considers or suspects that the behaviour in question might be abusive or violent (as opposed to inappropriate or problematic) the DSL will contact the Area Safeguarding Adviser on 03000 412284. The course of action is likely to be one of the following:
 - a. Manage internally with help from external specialists
 - b. Undertake/contribute to a multi-agency assessment
 - c. Refer the pupil to children's social care
 - d. Report criminal behaviour to the police
4. Where there has been a report of sexual violence, the DSL will make an immediate risk assessment to consider the victim and her protection and support, the alleged perpetrator and any other children at the

school who may be in need of protection. In any such event, all pupils involved, whether perpetrators or victims, will be treated as being 'at risk' and supported by services such as - internally - their House staff, the medical and counselling team, the Safeguarding team and - externally - by specialist and/or children's social care.

All discussions, decision and reasons for action will be noted in the safeguarding file.

Victims of peer on peer abuse will be supported through a welfare plan drawn up by a senior member of pastoral staff in liaison with one of the DSLs. The school will ensure that medical, counselling and other appropriate services are offered to the victim and, in consultation with the victim and her parents, a plan will be agreed. This will be reviewed regularly.

Disciplinary Action

The school will consider whether disciplinary action may be appropriate for any pupil who has taken part in peer on peer abuse. This action may be necessary to:

- a. Ensure the pupil takes responsibility for and realises the seriousness of her behaviour
- b. To demonstrate to pupils that peer on peer abuse can never be tolerated
- c. To ensure the safety and wellbeing of other pupils.

These considerations will be balanced against the pupil's own potential unmet needs and any safeguarding concerns and will include discussions with parents.

Before deciding on appropriate action, the school will always consider:

- a. Its duty to safeguard all children from harm
- b. The underlying reasons for a pupil's behaviour
- c. Any unmet needs or harm or abuse suffered by the pupil
- d. The risk the pupil may pose to other pupils
- e. The severity of the peer on peer abuse and the causes of it.

A thorough risk assessment of the situation will be carried out (with the help of the statutory authorities where appropriate) with a view to ensuring the safety of all pupils. Such a risk assessment might include:

- a. Whether a pupil should be removed from school or from certain classes for a period of time
- b. Whether sleeping arrangements need to be changed
- c. Whether contact with certain individuals needs to be managed.

A Welfare Plan would be drawn up in these circumstances for pupils affected by or involved in abuse outlining the expectations of pupil behaviour and measures put in place by the school to manage the situation. Support will be available for both victim and perpetrator.

Ongoing Proactive Work

After any incident of peer on peer abuse, the school will undertake a review of its practices to see if anything can be learnt to prevent future abuse. Such a review is likely to consider some of the following questions:

- a. What protective factors and influences exist within the school and how can these be strengthened?
- b. How, if at all, did the school's physical environment contribute to the abuse, and how can the school address this going forwards?
- c. Did wider gender norms, equality issues and/or societal attitudes contribute towards the abuse?
- d. Does the abuse indicate the need for further staff training and/or pupil education?
- e. Were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other pupils in the school?