



# Children, Young People, Education and Skills

## Keeping Children Safe in Education

Guidance for Nurseries, Schools, Colleges  
and Education Services in Jersey

September 2023

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## Useful Children, Young People, Education and Skills (CYPES) contacts:

Safeguarding Training Development and Governance Lead:	Shirley Dimaro	449477 / 07797924274
Acting Designated Safeguarding Officer:	Dani Perrier	07797954714
Head of Governance:	Alexa Munn	445504

### Children and Families Hub / Multi-Agency Safeguarding Hub (MASH) contact telephone numbers:

Children and Families Hub	519000
MASH Team Manager/Decision-maker:	449214
Education MASH Researcher:	449217
Out of hours Children's Services:	442000
States of Jersey Police Public Protection Unit:	612612

## Summary

Children, Young People, Education and Skills (CYPES) is committed to help children and young people achieve positive outcomes; everyone who comes into contact with children and their families or carers has a role to play to keep children safe. In order to fulfil this responsibility effectively.

**All** professionals should make sure their approach is child-centred, which means that they should consider, always, what is in the best interests of the child.

### Definition of Safeguarding

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- **protecting** children from maltreatment
- **preventing** impairment of children's mental and physical health or development

- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes (*Working Together to Safeguard Children, 2018. UK*)

Children includes everyone under the age of 18.

Keeping children safe in education is guidance that nurseries, schools, colleges, and education services must have regard to when carrying out their duties to safeguard and promote the welfare of children.

- Headteachers, principals and members of the senior leadership team (SLT)
- Governing bodies of schools and colleges
- Proprietors, trustees and committee members of independent schools and private nursery providers

should **ensure all staff** read at least Part One of the guidance to ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in Part One of this guidance.

Schools, colleges and education services who provide education and support for young people over the age of 18 should ensure relevant staff have attended [Adult Safeguarding Foundation Training](#) as a minimum **and** are aware of the [Jersey Multi-Agency Adult Safeguarding Policy and Procedures](#).

## About this guidance

This document contains information on the commitments of CYPES and sets out the responsibilities of nurseries, schools, colleges and education services, including independent providers, in keeping children safe and promoting their welfare.

**This policy should be read alongside:**

- [Safeguarding Partnership Board Child Protection Procedures](#)
- [Children \(Jersey\) Law 2002](#) *Soon to be replaced by Children (Jersey) Law 2022*
- [Education \(Jersey\) Law 1999](#)
- [Daycare of Children \(Jersey\) Law 2002](#)

**English statutory guidance:**

- [Information Sharing: Advice for practitioners providing safeguarding services to children, young](#)
- [Working together to safeguard children 2018](#)
- [What to do if you are worried a child is being abused](#)

Unless otherwise specified, 'school' means all schools whether provided, non-provided or independent schools, maintained nursery schools and other education settings.

As well as schools named 'college', 'college' means all post 16 education providers, including apprenticeships, specialist post 16 institutions and independent training providers, and relates to their responsibilities towards children under the age of 18. 'Children' therefore means 'children and young people' throughout.

The term 'practitioners' is used throughout the guidance to refer to individuals who work with children and their families in any capacity.

## Victims and alleged perpetrator(s)

For the purposes of this guidance, we, in places, use the term '**victim**'. It is a widely recognised and understood term. It is important that education services recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, education services should be conscious of this when managing any incident and be prepared to use any term with which the individual is most comfortable.

For the purpose of this advice, we, in places, use the term '**alleged perpetrator(s)**' and where appropriate '**perpetrator(s)**'. These are widely used and recognised terms and the most appropriate to aid effective drafting of guidance. However, education services should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour will have been harmful to the perpetrator as well. As above, the use of appropriate terminology will be for education services to determine, as appropriate, on a case-by-case basis.

## Who this guidance is for?

**This guidance should be read and followed by:**

- all Headteachers, principals and members of the senior leadership team (SLT)
- governing bodies of maintained schools and colleges. This should include providers of post-16 Education
- proprietors of independent schools and private nursery providers

The above persons should **ensure that all staff in their nursery, school, college or education service read at least Part one of this guidance.**

The above persons should ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in Part one of this guidance.

This guidance replaces previous versions of the former Education Department's safeguarding and child protection policy.

## Underpinning principles

The United Nations Convention on the Rights of the Child (UNCRC) Article 3 states, '*the best interests of the child must be the priority in all decisions and action that affect children*'.

- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious beliefs, personal beliefs and/or sexual identity.
- Everyone has a responsibility to promote multi-agency co-operation to improve the welfare of children, Working Together to Safeguard Children (2018).
- This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with pupils.
- Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct that could lead any reasonable person to question their motivation and intentions.
- Adults should work in an open and transparent way.

**Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document.**

## Part One: Safeguarding Information for all staff

### What Nurseries, Schools, Colleges and Education Services staff should know and do

Nurseries, schools, colleges, and education services staff are an important part of the wider safeguarding system for children. This Policy ensures that arrangements are in place to safeguard and promote the welfare of pupils.

This system is described in the English guidance [Working together to safeguard children](#).

1. Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families and carers has a role to play in safeguarding children. To fulfil this responsibility effectively, all professionals should make sure their approach is child centred. This means that they should consider, always, what is in the **best interests** of the child.
2. To fulfil this responsibility effectively, all professionals should always be child-centred, which means that they should consider, always, what is in the best interests of the child. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children have the best outcomes.
3. Children includes everyone under the age of 18.

### A child-centred and coordinated approach to safeguarding practice.

4. Keeping children safe in education is everyone's responsibility and all those working with, or coming into contact with children must have regard to their individual responsibilities when carrying out their duties to safeguard and promote the welfare of children; **at all times the child's best interests is the paramount consideration.**

#### These principles also apply to:

- Pre-school settings and after school/holiday club arrangements
  - Alternative educational provisions on island or children placed in another jurisdiction.
5. **All staff** that work with children are responsible for their own actions and behaviour and should avoid any conduct that could lead any reasonable person to question their motivation and intentions.

6. **All staff** should work and be seen to work in an open and transparent way.
7. The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious beliefs, personal beliefs and/or sexual identity [Safeguarding Partnership Board Equality and Diversity Guidance](#)
8. **All staff** should continually monitor and review their practice and ensure they follow the guidance contained in this document.

## What nursery, school, college and education services staff need to know

9. **All staff** members should be aware of systems within their nursery, school, college or education service which support safeguarding, and these should be explained to them as part of staff induction. This should include:
  - the **child protection and safeguarding policy**; (which should amongst other things also include the policy and procedures to deal with child-on-child abuse)
  - a **behaviour policy** which (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying)
  - the **staff behaviour policy** (sometimes called a code of conduct) should amongst other things include low-level concerns, allegations against staff and whistleblowing
  - safeguarding response to children who go missing from education and
  - the role of the designated safeguarding lead (DSL).

*Copies of policies and a copy of Part One of this document should be provided to staff at induction and their signature obtained stating they have read part one of this document and provide their signature to confirm they understand their own responsibilities.*

10. **All staff** members should receive appropriate safeguarding and child protection training (including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) which is renewed annually and regularly updated. In addition, all staff members should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, to provide them with relevant skills and knowledge to safeguard children effectively.

11. **All staff** should know what to do if a child tells them they are being abused, exploited, or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the designated safeguarding lead (or a deputy) and Children's Social Care. **Staff should never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.**
12. **All staff** should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting any form of abuse and/or neglect. Nor should a victim ever be made to feel ashamed for making a report.
13. **All staff** should be aware that children may not feel ready or know how to tell someone they are being abused, exploited, or neglected and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or are being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.
14. **All staff** should be aware of the process for making referral to the Children and Families Hub and assessments that may follow a referral, along with the role they might be expected to play in such assessments.

## Right Help - Right Time

15. **All staff should** be aware of the importance of an early help approach in meeting children's needs and understand that it is more effective for children when adults recognize emerging problems early rather than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the end of adolescence.

If you are unsure about what help the child or young person needs, please refer to the Safeguarding Partnership Board: [Delivering Effective Support for Children and Families: Understanding the Continuum of Children's Needs](#)

### Guidance to help inform your decision making and planning:

- It is important that children receive appropriate support and services. There are a variety of organisations that provide help and support for children and their families.
- You can find information about these services via the children and Families Hub website: [Children and Families Hub \(gov.ie\)](#)

- Click here for further information on [Right Help Right Time - early help approach](#)

## Early help

16. **All staff** should be aware of the early help process and understand their role in it. This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and in some cases, acting as the lead worker or undertaking an early help assessment.
17. **Any child** may benefit from early help, but all nursery, school and college staff should be particularly alert to the potential need for early help for a child who:
  - is disabled or has certain health conditions and has specific additional needs
  - has special educational needs (whether they have a Record of Need or not)
  - is a young carer
  - is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
  - is frequently missing/goes missing from care or from home
  - is at risk of modern slavery, trafficking, or exploitation (CSE)
  - is at risk of being radicalised or exploited
  - is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues or domestic abuse.
  - is persistently absent from education, including persistent absences for part of the school day.
18. If early help is appropriate, the DSL (or deputy DSL) will generally lead on liaising with other agencies. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

### What nursery, school and college staff should look out for?

19. **All staff** members should be aware of the types of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection and any concerns, no matter how small they appear, should be reported to the DSL or deputy DSL.
20. **All staff** should be aware that abuse, neglect and safeguarding issues are rarely standalone events and cannot be covered by one definition or one label alone. In most cases, multiple issues will overlap with one another.

21. **All staff**, but especially the DSL (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual abuse (including harassment and exploitation), domestic abuse in their own intimate relationships (teenage relationship abuse), criminal exploitation, serious youth violence, and radicalisation.
22. **All staff** should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse and other risks online as well as face to face. In many cases abuse and other risks will take place concurrently both online and offline. Children can also abuse other children online, this can take the form of abusive, harassing, and misogynistic/misandrist messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography to those who do not want to receive such content.
23. **In all cases, if staff are unsure, they should always speak to the DSL or deputy DSL.**

## Types of abuse

24. Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

### Physical abuse:

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

### Emotional abuse:

Is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the

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

### **Sexual abuse:**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or nonpenetrative 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. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Both sexes can commit acts of sexual abuse including both adults and children. The sexual abuse of children by other children is a specific safeguarding issue.

### **Neglect:**

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

25. Each of these elements above have been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment.
26. Sometimes, a single traumatic event may constitute significant harm (e.g., a violent and/or sexual assault, suffocation or poisoning). More often, significant harm is a compilation of significant events, both acute and longstanding, which interrupt, change or damage the child's physical and psychological development.
27. Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term neglect, emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm.
28. Sometimes 'significant harm' refers to harm caused by one child to another, which may be a single event or a range of ill treatment; this is generally referred to as 'child-on-child abuse'. It is important that children understand the law on child-on-child abuse is there to protect them – 'not get them into trouble' or criminalise them.

29. In each case, it is necessary to consider any maltreatment alongside the child's own assessment of his or her safety and welfare, the family's strengths and supports, as well as an assessment of the likelihood and capacity for change and improvements in parenting and the care of children and young people.
30. Further information on understanding and identifying abuse and neglect can be found at Gov.uk guidance: [What to do if you are worried a child is being abused- Advice for practitioners](#). Examples of potential signs of abuse and neglect are highlighted throughout the advice and will be particularly helpful for nursery, school and college staff. The [Safeguarding Partnership Board](#) website also provides useful additional information on types of abuse and what to look out for.
31. Staff members working with children are advised to maintain an attitude of '**it could happen here**' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the **best interests of the child**.
32. Knowing what to look for is vital to the early identification of abuse and neglect. If staff members are unsure, they should always speak to the DSL.

## What staff should do if they have concerns about a child?

33. If staff have any concerns about a child they will need to decide on what action to take. Where possible, there should be a conversation with the designated safeguarding lead to agree a course of action, which may involve a referral to the Children and Families Hub.
34. The DSL (or deputy DSL) should always be available to discuss safeguarding concerns. If in exceptional circumstances, the DSL (or deputy DSL) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from children's social care. In these circumstances, any action taken should be shared with the DSL (or deputy DSL) as soon as is practically possible.

## What nursery, school, college and education services staff should do if a child is in danger or at risk of harm?

35. If a child is in ***immediate danger or is at risk of harm, the police should be contacted immediately and a referral to the [Children and Families Hub \(C&FH\)](#) should be completed.*** Anyone can call the Children and Families Hub for advice on **telephone number 519000**, but where a referral is not made by the DSL themselves, the DSL and/or Headteacher should be informed as soon as possible that a referral has been made.

36. If staff members have any other **concerns** about a child, they should discuss this with their DSL, the deputy DSL or Headteacher who will decide what action to take. Other options could include referral to other services and should be made in accordance with [Delivering Effective Support for Children and Families; Understanding the Continuum of Children's Needs](#)
37. If, after a Child & Families Hub referral, the child's situation does not appear to be improving, the DSL (or the person who made the referral) should press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child's situation improves. This can be done using the [Safeguarding Partnership Board Resolving Professional Differences/Escalation and Resolution Pathway](#).
38. If Early Help is appropriate, the DSL should support the staff member in liaising with other agencies and setting up a multi-agency assessment as appropriate.
39. If Early Help or other support is appropriate, the case should be kept under constant review and consideration given to a Children and Families Hub referral if the child's situation does not appear to be improving. This protocol outlines the interface between early help and the Children and Families Hub.
40. Data protection **does not** prevent the sharing of information for the purposes of keeping children safe and promoting their welfare. If in any doubt about sharing information, staff should speak to the DSL (or deputy DSL). Fears about sharing information **must not** be allowed to stand in the way of the need to safeguard and promote the welfare of children.

## Why is it important to act?

41. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and Serious Case Reviews have repeatedly shown the dangers of failing to take effective action. Poor practice includes:
  - failing to act on and refer the early signs of abuse and neglect
  - poor record keeping
  - failing to listen to the views of the child
  - failing to re-assess concerns when situations do not improve
  - sharing information too slowly
  - a lack of challenge to those who appear not to be taking action

## Roles and responsibilities of Nurseries, Schools, Colleges, and Education Services

42. All adults working with children have a responsibility to provide a safe environment in which children can learn. Staff should recognise emerging needs/difficulties that may occur at any time during a child's education and ensuring appropriate support is in place.

43. All adults should be aware of systems within their nursery, school, college or education service which support safeguarding, and these should be explained to them as part of staff induction. This should include conduct and safe teaching practice
44. The nursery, school, college or education service expects staff and volunteers to set a good example to pupils through their own conduct and behaviour and aims to mitigate the risk of allegations being made against them by ensuring they maintain high standards of professionalism and appropriate boundaries.
45. The Headteacher/principal will ensure that each member of staff, including volunteers, signs a code of conduct agreement on appointment that sets out the nursery, school, college or education service's expectations of standards of professional behaviour. In addition, all staff receive copies of relevant policies.
46. The nursery, school, college or education service clearly displays the name of the DSL and how to contact them.
47. The nursery, school, college or education service should provide children with opportunities to discuss issues and report problems affecting their safety and welfare. The nursery, school, college or education service should teach children about keeping themselves safe and ensuring they know who to approach for help.
48. The nursery, school, college or education service is responsible for identifying children who are suffering, or likely to suffer significant harm, taking appropriate action to safeguard their welfare, particularly those children who are most disadvantaged, with the aim of ensuring they are kept safe at home, within an educational setting or other CYPES supervised event.
49. The nursery, school, college or education service is responsible for promoting partnership working with parents/carers and professionals.

### Staff Induction Programme

50. As part of all newly recruited staff induction programmes, Headteachers, education Principals / managers and DSLs are responsible to provide new staff with:
51. A copy of the safeguarding & child protection policy and **signed confirmation that it has been read and understood**
52. A copy of the staff behaviour policy (sometimes called a code of conduct) and confirm they understand the expected standard of staff behaviour including the use of:
  - computers, including laptops and other devices
  - mobile telephones –work or personal / in or out of work
  - social media
53. Information regarding the role and responsibilities of all staff in relation to safeguarding and child protection.

54. The names and contact details of the DSL and Deputy DSL and any other staff with responsibility for safeguarding. They should also have the opportunity to meet the DSL as part of their induction.

## Safeguarding Training

55. **All staff** must attend the Safeguarding Children Partnership Board (SSB) accredited Foundation Safeguarding Children Training as a minimum.
56. **All staff** training should include the categories of child abuse and neglect in order to support identification of children who may be in need of help or protection.
57. **All CYPES staff**, including senior managers and governors will receive multiagency safeguarding training provided by Jersey's SPB at the relevant level.
58. Headteachers/managers/DSLs must monitor and record details of the Safeguarding training: [Safeguarding Partnership Board training](#)
- for all school staff including volunteers
  - and that they are trained to the appropriate level
59. **All staff** must attend safeguarding updates at least twice yearly, but annual safeguarding updates lasting at least 1 hour are recommended.
60. If staff lapse in their training updates of 2 years or over, they are required to attend the SPB accredited Safeguarding Foundation Level training again, or equivalent that has been agreed by the CYPES Directorate. Safeguarding updates include emailed information, e-bulletins and staff meetings also provide safeguarding updates, but do not replace the expected training above.
61. Training for staff who regularly work with children, young people and families should enable them to:
- Develop knowledge, skills and the ability to work together on the processes for safeguarding and promoting the welfare of children and young people, including those suffering or at risk of suffering significant harm.
  - Identify the DSL in their nursery, school, college, education service and recognise their responsibility to report any concerns about children.
  - Understand the correct line of reporting and the principles of information sharing.

- Understand their role, responsibilities and limitations in dealing with safeguarding concerns.
  - Describe inter-agency roles and responsibilities for safeguarding children.
  - Understand what will happen once they have informed someone about concerns.
  - Make a full contribution to the process of child protection and have an understanding of the purpose of inter-agency activities and the decisions required at each stage of the child protection process.
  - Demonstrate skills in effective collaboration between agencies to achieve intended outcomes for the child and their family.
62. As well as basic safeguarding training, the DSL and deputy DSL or designated teacher will receive specific training on their role and other relevant multi-agency training courses provided by SPB at a level that meets individual's roles and responsibilities.

## Working with parents and carers

63. Parents and carers have the main responsibility for safeguarding and promoting their child's welfare and the nurseries, schools, colleges and education services recognise the importance of working in partnership with parents and carers to ensure the welfare and safety of children.

### Nurseries, Schools, Colleges and Education Services will:

- Make parents/carers aware of the nursery, school, college or education service's statutory role in safeguarding and promoting the welfare of children, including the responsibility to refer concerns when necessary.
- Make safeguarding policies available on the nursery, school, college or education service's website or as a hard copy at reception.
- Provide opportunities for parents and carers to discuss any concerns with relevant staff.

## Working together collaboratively and cooperatively to safeguard children; multi-agency working

64. No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, **everyone** who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

65. **All staff** working with children have a responsibility to promote inter-agency cooperation to improve the welfare of children, and this responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with pupils in education settings.
66. Nurseries, schools/colleges and education services should work together to safeguard children, including:
- Making sure vulnerable children get early help before problems escalate and more robust interventions such as child protection is needed.
  - **All staff** understand the importance of informing their DSL when concerns are raised/identified.
  - **All staff** should understand the process of making a referral to the Children and Families Hub where there are welfare or child protection concerns.
  - **All staff** understand the need for referrals to Children's Social Care where statutory social work assessments may be required and how they may contribute to the process/information gathering.
67. **All staff** will share information, lawfully, and work in an integrated way to ensure a co-ordinated response from agencies to support families and meet the child's needs. Nurseries, schools, colleges and education services recognise their duty to work in partnership with other professionals and agencies within the children's workforce in order to deliver integrated services that focus on prevention.
68. **To achieve this, nurseries, schools, colleges and education services will:**
- lawfully share information with agencies in order to ensure children receive appropriate services and are appropriately safeguarded.
  - ensure confidential information about a child should never be used casually in conversation or shared with any person. Data should only be shared with third parties if it is permitted under the provisions of the Data Protection (Jersey) Law 2018.

## Attendance at case conferences and core groups

69. The DSL will liaise with key staff to ensure that all relevant information held by the nursery, school, college or education service is shared with Children's Social Care during the child protection process. [Child Protection Conference Procedures - SPB](#)
70. The DSL will ensure that the nursery, school, college or education service is represented at child protection case conference and core group meetings. Where possible, a member of staff who knows the child best, e.g. class teacher or Head of Year will attend meetings. Where a representative from the nursery, school, college

or education service is unable to attend, e.g. school holidays, the DSL will ensure a report is made available.

- 71. **All staff** attending Child Protection Conferences or Core Group Meetings will have received training in this area.

## Framework for the Assessment of Children in Need and their Families (2000)

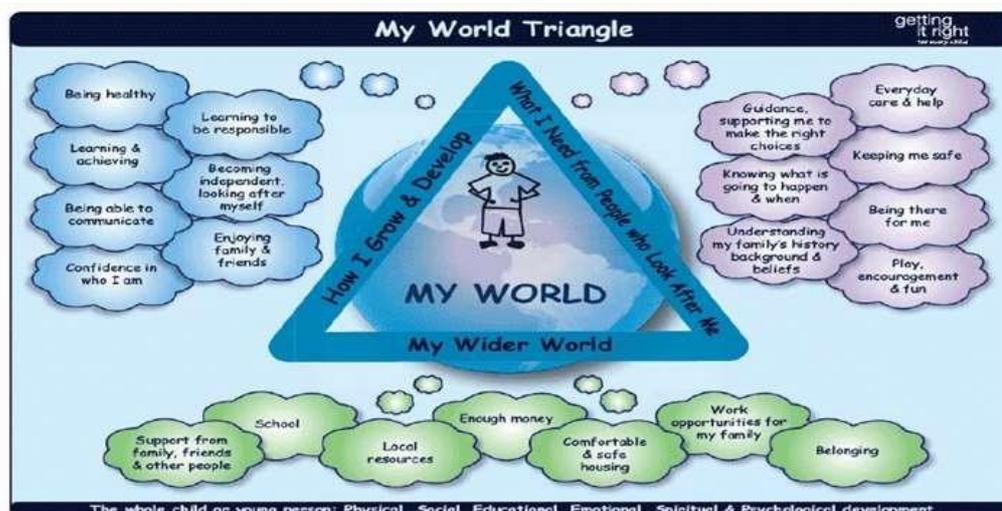
This framework helps professionals to identify specific areas of concern within the child's life.



## My World Triangle

- 72. By systematically assessing each domain and analysing all the relevant information, professionals will be able to identify strengths and weaknesses, and any additional needs the child may have.
- 73. The information gathered helps to inform and guide report writing for child protection conferences and core group meetings. Where possible, any report should be written in partnership with the parent/carer and/or young person according to their capacity to contribute.

Additionally, My World Assessment tool helps professionals to gather detailed child-focused information to **help understand the child's life from their own perspective and listen to their views, thoughts and feelings.**



## What to do if you are concerned about a child

74. If staff have any concerns about a child they should discuss this in the first instance with the DSL who will decide on what action to take.
75. The DSL will decide whether to make a Children & Families Hub referral following a discussion with the member of staff who has raised concerns.
76. If there is any doubt about whether concerns raised require a referral to the Children and Families Hub, the DSL should consult the MASH Manager or the DSO at Education for advice. [Children and Families Hub website and professional referral process](#)
77. Parental consent must be sought prior to the referral being made, ***unless seeking consent would place the child at risk of further harm and/or the abuse is alleged to be by a parent.***
78. If parents do not consent, ***but your view is that the child has suffered or in your professional opinion remains at risk of suffering significant harm, the referral must still be made in absence of 'parental agreement' and the parent made aware.***
79. If the child already has an allocated Social Worker (SW), school should speak to the SW and make them aware of the concerns raised and record this.
80. Once the Children and Families Hub have dealt with a referral, they will contact the referrer and provide feedback regarding the referral outcome.

81. Where the child has suffered or likely to suffer significant harm, professional partners from the MASH will convene a strategy meeting and invite representatives from relevant agencies, including education as a key agency for any school-aged child.
82. The multi-agency strategy meeting consists of discussion and analysis of the available information and an action plan is agreed to manage any risk and to identify any additional assessments that may be required. *For example, a child requiring a medical examination. This process not only considers the child concerned, but any siblings or other children who may also be at risk from harm given disclosures and information available.*
83. **In emergency situations** where the child remains at risk of harm if left with or returned to their family or carer, a Children's Social Worker is allocated who will arrange for the child to be moved to a place of safety; this can include relatives, foster care or on occasions Robin Ward at Jersey General Hospital.

## Recognition and dealing with disclosures

84. **All staff** have a responsibility to identify those children who are suffering from harm or abuse
85. **All disclosures** made by a child must be listened to, taken seriously and managed with sensitivity
86. **On no account** should adults make suggestions to the child of alternative explanations of their disclosure or 'investigate' the disclosure
87. All disclosures should be recorded accurately with the time, date and those people present.
88. If a child makes a disclosure in nurse, school, college or education service, staff need to know:

### What to do

- Listen to what is said without displaying shock or disbelief and accept what the child is saying
- Allow the child to talk freely
- Reassure the child that they were right to tell someone and what has happened is not their fault
- Explain what will happen next and who has to be told about the incident
- Reassure the child that you have a responsibility to keep them safe; that it may not be possible to maintain confidentiality

- You must complete a written record of what has been disclosed and any actions taken, recording the date, time and the names of any witnesses that may have been present when the disclosure was made
- This record should be given to the DSL and included in the Children & Families Hub referral. A copy of this record and the Children & Families Hub referral form should be kept securely on the child's school safeguarding record.

#### **What not to do**

- Do not ask direct questions but allow the child to tell their story
  - Do not criticise the alleged perpetrator
  - Do not investigate
89. Parents/carers should be informed and parental consent obtained for a referral to the Children and Families Hub, **except where the parent or someone known to them is the alleged abuser; in which case the PARENT SHOULD NOT be informed as this may increase risk of harm to the child and/or hinder a police investigation.**

## **Consultation**

90. Any concerns held by staff should be discussed in the first instance with the DSL, the Headteacher, or their deputy in their absence, who will decide what action should be taken. It is essential that concerns held by staff are properly shared and evaluated in order that appropriate action to safeguard the welfare of children can be taken. This may include access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. [Responding to Abuse and Neglect](#)

## **The Concept of Significant Harm – legal framework**

91. Some children are in need because they are suffering, or likely to suffer, significant harm. The Children (Jersey) Law 2002 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives statutory agencies such as Children's Social Care and the Police a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.

The Children (Jersey) Law 2002 Part 4 enshrines the concept of **Significant Harm**.

#### **Article 24 (2):**

92. The court may only make a care order or supervision order if it is satisfied:
- a. That the child concerned is suffering, or is likely to suffer, significant harm; and

b. That the harm, or likelihood of harm, is attributable to:

- The care given to the child, or likely to be given to the child if the order were not made, not being what it would be reasonable to expect a parent to give the child; or
- The child's being beyond parental control.

### **Article 24 (6):**

- 'Harm' means ill - treatment or the impairment of health or development;
  - 'Development' means physical, intellectual, emotional, social or behavioural development.
  - 'Health' means physical or mental health; and
  - 'Ill treatment' includes sexual abuse and forms of ill-treatment which are not physical.
93. There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusual elements.
94. To understand and identify significant harm, it is necessary to consider:
- The nature of harm, in terms of maltreatment or failure to provide adequate care.
  - The impact on the child's health and development.
  - The child's development within the context of their family and wider environment.
  - Any special needs, such as a medical condition, communication impairment or disability, that may affect the child's development and care within the family;
  - The capacity of parents to meet adequately the child's needs; and
  - The wider and environmental family context.
95. The child's reactions, his or her perceptions, and wishes and feelings should be ascertained, and the professionals involved with the child should give them due consideration, so far as is reasonably practicable and consistent with the child's welfare and having regard to the child's age and understanding.
96. To do this depends on communicating effectively with children, including those with communication needs. This may involve using interpreters and drawing upon the expertise of early years workers or those working with children with disabilities. It is necessary to create the right atmosphere when meeting and communicating with children, to help them feel at ease and reduce any pressure from parents, carers or others.

97. Children will need reassurance that they will not be victimised or punished for sharing information or asking for help or protection; this applies to children living in families as well as those in residential/institutional settings, including custody. It is essential that any accounts of adverse experiences coming from them are as accurate and complete as possible. Accuracy is key: without it, effective decisions cannot be made, and inaccurate accounts can lead to children remaining unsafe, or to the possibility of wrongful actions being taken that affect children and adults.

## Monitoring

98. The following actions should be taken where a child is the subject of a Child Protection (CP) Plan:
- At all times the DSL will share any relevant information as required by the CP Plan.
  - Monitoring school attendance will be carried out by the relevant staff member in conjunction with the designated teacher/DSL.
  - All information will be recorded prior to each conference and core group meeting.
  - This record will be kept on the child's file and copies made available to all conferences and core group meetings.
  - Nurseries, schools, colleges and education services should maintain chronologies of significant events and share information at conference and core group meetings.
  - The DSL will notify the allocated Social Worker if the child is removed from school roll, suspended for any period of time or if they go missing from education.

## Record Keeping and storing information

99. **All staff** are responsible for ensuring that records are accurate, up to date and that recording is of a high standard. DSLs will ensure that MyConcern safeguarding solution is fully implemented in all maintained schools and colleges.

### Record keeping practice

100. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. If in doubt about recording requirements, staff should discuss with the DSL.
101. All records should be accurate, factual and contemporaneous. They should also be kept up to date as things change or new information is shared.

102. The safeguarding solution, MyConcern, should be used in all state schools to record concerns in addition to reporting to the DSL.
103. A 'Record of Concern' form should be used where MyConcern safeguarding recording system is not in place. See Appendix A.

**The following should be recorded:**

- What action was taken to refer concerns or manage risk within the school?
  - Any action taken; how and why decisions were made should be recorded.
  - Any incidents, disclosures or signs of neglect or abuse fully recorded with dates, times and locations.
104. Where a child who is subject to a protection plan transfers to another school, the DSL is responsible for ensuring that all relevant records are passed to the DSL at the new school. Ideally, this should be a face to face meeting.
  105. Child protection records will be held in accordance with the [retention schedule for Children's Social Care](#).
  106. The DSL is responsible for maintaining a record of welfare and child protection concerns.

[SPB Record keeping - Recording Guidance](#)

## Confidentiality and information sharing

107. All information obtained by nursery, school, college or education services staff about a pupil and their family is confidential and can only be shared with other professionals and agencies with the family's consent. Schools should obtain written informed consent from the person with parental responsibility for the child, which should be signed and dated in order to share information. However, the child's welfare is paramount and nurseries, schools, colleges and education services need to make a professional judgement in circumstances where children are at risk from or likely to be at risk of significant harm. Where it is in the interests of the child, information can be shared with relevant authorities. For example, Health and Community Services (HCS), Police, School Nurses, Health Visitors and in line with data sharing agreements and the Data Protection (Jersey) Law 2018.
108. Parental consent to making Children and Families Hub referral should always be sought; if their consent is withheld, the referral should still be submitted, and parents must be made aware of this. **Before taking this step, nurseries, schools, colleges and education services should consider the proportionality of disclosure against non-disclosure, as the duty of data protection is overridden by the need to safeguard children.**

109. Only relevant information should be disclosed to those professionals who 'need to know'. Always ensure you adhere to the Data Protection (Jersey) Law 2018. Staff should consider the purpose of the disclosure and remind recipients that the information is confidential and only to be used for the stated purpose. Parents should also be made aware of the nursery, school, college, or education service's duty to share information.
110. Staff should discuss any concerns or difficulties around confidentiality or information sharing with either the DSL, DSO or seek advice from the Children and Families Hub or CYPES Governance Team.

## Part Two – the management of safeguarding for schools

### The responsibility of governing bodies and senior leaders

111. Schools and colleges should have a senior level lead to take leadership and responsibility for their safeguarding arrangements.
112. Governing bodies should ensure that **all** governors, proprietors and trustees receive appropriate safeguarding and child protection training (which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) at induction. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools, colleges and education services are effective and support the delivery of a robust whole school, college or education service approach to safeguarding. Their training should be updated at regular intervals, but no less than annually.
113. The importance that governors and proprietors properly support the DSL role has been given prominence by adding it to the main body of the guidance and includes an expectation that they should read the full DSL description.

### Safeguarding policies and procedures

114. Headteachers, DSLs, Governing bodies and proprietors should ensure there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare.
115. Policies should include, safeguarding and child protection, behaviour, staff behaviour (code of conduct) and children missing from education. This is not intended to be an exhaustive list. These policies and procedures, along with Part One of this guidance and information regarding the role and identity of the designated safeguarding lead (and deputies), should be provided to all staff on induction.
116. **The safeguarding and child protection policy must:**
  - reflect the whole nursery, school, college or education service approach to child-on-child abuse
  - reflect reporting systems
  - describe procedures which are in accordance with Government of Jersey guidance
  - includes policies as reflected elsewhere in Part Two of this guidance, such as online safety, and special educational needs and disabilities (SEND)
  - be reviewed annually (as a minimum) and updated if needed, so that it is kept up to date with safeguarding issues as they emerge and evolve, including lessons learnt

- be available publicly either via the nursery, school, college or education service's website or by other means.

117. When drafting the staff behaviour policy, nurseries, schools, colleges and education services should bear in mind the offence under section 16 of The Sexual Offences Act 2018, which provides that it is an offence for a person aged 18 or over (e.g. teacher or youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. A situation where a person is in a position of trust could arise where the child is in full-time education and the person looks after children under 18 in the same establishment as the child, even if they do not directly teach the child.

## **Responsibilities of Headteachers, Principals and Proprietors**

118. Ensure all staff are fully aware of the nursery, school, college or education service's safeguarding and child protection policies and that these policies are fully implemented.
119. Ensure all staff have a good understanding of their role in the identification and sharing of safeguarding concerns with the DSL or Headteacher.
120. Ensuring that there is a senior 'designated safeguarding lead' to take on lead responsibility for child protection issues and an identifiable deputy.
121. Ensure the DSL is given sufficient time and resources to carry out their responsibilities.
122. Ensure DSLs/deputies are released to attend multi-agency safeguarding meetings, child protection conferences, core group meetings and other meetings held to discuss safeguarding issues concerning children.
123. Ensure safer recruitment practice is followed whenever recruiting to posts and that all staff hold an up-to-date DBS check or enhanced DBS check where appropriate.
124. Ensure that all volunteers have relevant risk assessments for working with children.
125. Ensure the nursery, school, college or education service offers a safe and transparent environment for staff and children to raise concerns about poor or unsafe behaviours or practice.
126. Ensure appropriate action is taken when an allegation is made against a member of staff, following the SPB [Microsoft Word - JDO 2022 Final Operational](#)

[safeguarding.je](http://safeguarding.je)) and the CYPES Designated Safeguarding Officer or the Director for Inclusion are contacted and informed as soon as possible.

127. The nursery, school, college or education service's Safeguarding policies are reviewed at least annually.

## Safer Recruitment

128. The nursery, school, college or education service recognises safe recruitment practices are an essential part of creating a safe environment for children and will ensure that staff and volunteers working in the nursery, school, college or education service are suitable to do so and do not pose any kind of risk.
129. Headteachers, Principals and Proprietors are responsible for nurseries, schools, colleges and education services to maintain a single central record of the safeguarding checks they have carried out for all staff and volunteers. This should include any updates.

[SPB Guidance for Safe Recruitment, Selection and Retention for Staff and Volunteers](#)

[Government of Jersey Safer Recruitment Policy \(located on MyStates\)](#)

[States of Jersey Police - Disclosure and Barring Service](#)

130. The UK Department for Education 2022 guidance added information to highlight that Schools should consider online searches as part of their due diligence checks on shortlisted candidates. The stated aim of this is that it "may help identify any incidents or issues that have happened, and are publicly available online, which the nursery, school, college or education service might want to explore with the applicant at the interview. Nurseries, schools, colleges and education services should inform shortlisted candidates that online searches may be done as part of due diligence checks.
131. Curriculum vitae should only be accepted alongside a fully completed formal application form and is insufficient on its own to support safer recruitment.
132. Should contractors be required for repairs, works or other at nurseries, schools, colleges or education services, headteachers, principals and proprietors should aim for their presence on the premises ideally to be out of school or educational time. However, in emergencies or where this cannot be achieved, all contractors, and visitors, must be supervised at all times so as not to come into contact with children.
133. The Headteacher, principal or proprietor will ensure that all staff, including governors and trustees, are fully inducted, are made aware of the nursery, school, college or education

service's safeguarding policy and procedures and that staff are fully aware of their role in implementing these.

134. The DSL will ensure that all staff, volunteers, governors and trustees, understand the safeguarding and child protection procedures and that they receive safeguarding training annually.
135. The Headteacher, principal, proprietor or DSL is responsible for keeping a central record of all statutory and other training undertaken by staff and volunteers, and should include governors and trustees.

## Recording information Single central record

136. Nurseries, schools, colleges and education services must maintain a single central record of pre-appointment checks, known as "the single central record".
137. The single central record must cover the following people:
  - all staff, including teacher trainees on salaried routes
  - agency and third-party supply staff, even if they work for one day
  - all members of the proprietor body
  - the members of governors and trustees
138. The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:
  - an identity check,
  - a standalone children's barred list check
  - an enhanced DBS check (with children's barred list check) requested/certificate provided
  - a prohibition from teaching check
  - further checks on people who have lived or worked outside the UK
  - a check of professional qualifications, where required, and,
  - a check to establish the person's right to work in Jersey.
139. The details of an individual should be removed from the single central record once they no longer work at the school or college.
140. Non statutory information: Nurseries, schools, colleges and education settings are free to record any other information they deem relevant. For example:
  - whether relevant staff have been informed of their duty to disclose relevant information under the childcare disqualification arrangements
  - checks made on volunteers
  - dates on which safeguarding and safer recruitment training was undertaken, and
  - the name of the person who carried out each check.

## Collection of children from nursery & school

141. Primary schools and nurseries should have a policy in place regarding the collection of children by adults who are not their parent or known carer at the end of the school day.
142. When the child starts nursery or school, they should be notified of who will normally collect the child.
143. Parents have a responsibility to notify the school in advance if this changes, giving details of the person who they have authorised to collect their child.
144. Parents should also be asked to inform the nursery or school where children are subject to court orders that limit contact with a named individual.
145. In the event that anyone who is not authorised to collect the child attempts to do so, the nursery or school should not allow the child to leave, and contact be made with the parent immediately.
146. Nurseries and schools should also have a procedure in place to deal with situations where a child is not collected at the end of the school day.
147. Nurseries and schools should check with the child to see if there are any changes to arrangements for collection and try to make contact with the parent or other family members, and wait with the child until someone comes to collect them.
148. Where children are regularly not collected or collected late, staff should raise this as a concern with parents/carers.
149. An Early Help Assessment may be considered to identify any potential underlying problems.
150. Children should not be released into the care of another parent even where they offer to take the child home.
151. Schools should discuss with the Children & Families Hub on telephone 519000 at 4:00pm if there are difficulties in contacting parents, other family members or authorised adults.
152. If no contact can be made with the parent/ carer by 4:30pm, the school should contact the Children and Families Hub on 519000 who will arrange for a Social Worker to collect the child or make arrangements for the child to be transported to Children's Social Care offices.

## Change of Care and/or Living Arrangements

153. At the start of each nursery or school year, parents must update contact details with respect to the collection of their child.
154. Parents should inform the nursery or school of any changes to the care and/or living arrangements of their child/ren whilst their children remain on the school roll.
155. Where children remain in Jersey and parent/s leave the island, parents must provide contact details of their whereabouts i.e., address and telephone numbers as well as the name, relationship and contact details of the adult/s responsible for their child/ren in their absence.

## Private Fostering Arrangements

156. Private fostering occurs when a child under the age of 16 (under 18 for children with a disability) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home

A private fostering arrangement is essentially one that is made without the involvement of an authority for the care of a child under the age of 16 (under 18 if disabled) by someone other than a parent or close relative for 28 days or more. Privately fostered children are a diverse and sometimes vulnerable group which includes:

- Children sent from abroad to stay with another family, usually to improve their educational opportunities.
  - Asylum-seeking and refugee children.
  - Teenagers who, having broken ties with their parents, are staying in short-term arrangements with friends or other non-relatives.
  - Children who stay with another family whilst their parents are in hospital, prison or serving overseas in the armed forces;
  - Language students living with host families.
157. Under the [Children \(Jersey\) Law 2002](#) section 59, private foster carers and those with [Parental Responsibility](#) are required to notify the [Children and Families Hub](#) of their intention to privately foster or to have a child privately fostered, or where a child is privately fostered in an emergency.
  158. It is the duty of every authority to satisfy itself that the welfare of the children who are privately fostered within their area is being satisfactorily safeguarded and their welfare promoted. Children's Social Care Service must also arrange to visit privately fostered children at regular intervals.
  159. In Jersey, all arrangements and regulations in relation to Private Fostering are set out in the [Children \(Private Arrangements for Fostering\) Regulations 2005](#). Children should be given the contact details of the social worker who will be visiting them while they are being privately fostered. [See Private Fostering , Part 8 of the Children \(Jersey\) Law 2002.](#)

160. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school and college staff through the normal course of their interaction, and promotion of learning activities, with children
161. Where the arrangements come to the attention of the nursery, school, college or education service (and the nursery, school, college or education service is not involved in the arrangements), they should then notify the [Children and Families Hub](#) to allow checks that the arrangement is suitable and safe for the child. Nurseries, schools, colleges and education services who are involved (whether or not directly) in arranging for a child to be fostered privately must notify the [Children and Families Hub](#) of the arrangement as soon as possible after the arrangement has been made.
162. If the nursery, school, college or education service suspect parents have arranged or agreed to private fostering arrangements a referral to the [Children and Families Hub](#) should be made along with a discussion about why this is required.

## **Children looked after and previously looked after children.**

163. The most common reason for children becoming looked after (CLA) is as a result of abuse and/or neglect. Headteachers, Governors, trustees and proprietors should ensure that staff and volunteers have the skills, knowledge and understanding to keep those children who are looked after safe.

### **Role of the Virtual School Headteacher and Designated Teachers**

164. The Virtual Headteacher will ensure that the educational outcomes for children who are looked after (CLA), and those children who have been previously looked after (CPLA) by the statutory services, receive and meet their educational potential.
165. This is achieved, in part, by ensuring individual termly Personal Education Plans (PEPs) are reviewed and updated each term and that there is a representative from the Virtual School.
166. Each school or college should appoint a Designated Teacher who should work with partner agencies to promote the educational achievement of pupils who are looked after.
167. The Designated Teacher must also have appropriate training and the relevant qualifications and experience.

168. The Designated Teacher should promote the voice of each CLA and CPLA and their carer/parent as well as setting appropriate targets for learning.
169. For children looked after the assigned Social Worker and the team around the child will be involved. For children previously looked after, the school or college manages their PEPs and targets.
170. All PEPs and progress of each child is monitored by the Virtual School Headteacher who should ensure that the attainment gap between those children who have experienced living in care and those who have not reduces significantly.
171. In addition, the Virtual School Headteacher completes placement reviews for those children who are placed off island to ensure that there is good or outstanding provision for their education in line with standards outlined by Ofsted.

## **Acrimonious parental relationships, PR and collecting child from school**

***Caution should always be taken where the welfare of a child is of concern, and their welfare should always take priority.***

172. A school, college or nursery's obligation is for the education and welfare of the child. They should be guided by the Jersey Family Court Advisory Service (JFCAS).
173. Any difficulties that arise between parents with parental responsibility (PR) should be managed by JFCAS and the Family Court. Schools and staff should be careful not to become involved in custody disputes.
174. If either parent or their respective lawyers request a member of staff to either write a statement or appear in court on their behalf, they should seek advice from Head of Governance at CYPES. It would not be appropriate to become involved in custody disputes.
175. If the Headteacher becomes aware of problems between parents, it is good practice that a meeting with both parents takes place to try and resolve any difficulties that may negatively impact on their child.
176. It is important to ensure that these conversations remain around the child's educational needs and welfare and that you are not drawn into custody or divorce disputes which are beyond CYPES' remit. Court Orders will inform contact arrangements, which can include the collection of children from school. It may be necessary to ask for a copy of relevant Court Orders which can be included in the child's file. Court Orders regarding collection must be adhered to until and unless they are changed.

177. In the absence of a Court Order when there is a disagreement about who can collect the child, an 'adult conversation' with parents should take place about who collects the child with a signed agreement between both parents and the Headteacher
178. The DSO can be contacted and will attend the meeting with parents and Headteacher if requested. If no resolution can be reached, the parents should be directed to seek legal advice.
179. If the Headteacher does make the judgment that a parent is not in an appropriate condition to release the child, then they can refuse to do so. However, this would be the case regardless of whether or not there was a Court Order in place and is a safeguarding matter. **In this situation, advice must be sought immediately from the Children and Families Hub on telephone 519000 or the States of Jersey Police, Public Protection Unit (PPU) 612612.**
180. In the event that the Headteacher or school staff suspect there may be a problem, or either parent has made a threat, this should be flagged as early as possible; advice from the DSO, Social Worker (if there is one) or the PPU should be sought.
181. Where Headteachers or school staff have grounds to believe a child may be at risk of harm by a breach of the peace or that a crime may be committed, they should contact the police immediately.

## Missing from school

182. Nurseries, schools, colleges and education services need to be aware of those children who are persistently absent or missing from school, as this may be an indicator of underlying welfare concerns.

### **The Association of Chief Police Officers (ACPO) defines missing as:**

*“Not at the place they are expected to be, but the circumstances are out of character. The context suggests they may be subject of a crime or at risk of harm to themselves or others.”*

183. Research informs us that we should be sighted on children who are missing from nursery, school, college or an education service for a variety of reasons that may increase risk to them, including child sexual exploitation (CSE). Police will not be assigned where children are 'absent'; instead, the onus will be on parents, schools or education welfare officers to locate the child.
184. Escalation to the police will follow if the child is deemed to be 'missing' and it is the parent's or carer's responsibility to do this. Reasonable steps should be taken by parents and school or college prior to making a report to the police.

See CYPES School Attendance Policy: [School Attendance Policy](#)

### Action for schools and colleges

185. The parent/carer should be contacted immediately and requested to locate their child and report to school or college when they have done so.
186. If the Parent/carer is unable to locate their child and the child cannot be contacted by telephone, the parent/carer should be advised to notify the police and report their child as missing.
187. A referral should also be made by school or college when there are concerns about children is reported as missing from their education setting.

### Children Missing from Education (CME)

188. Children missing education completely is more than an attendance issue. When a child leaves Jersey and moves to another jurisdiction, it is the school or college's responsibility to take steps to locate their whereabouts and to make direct contact with their receiving school or education setting. Only after effective attempts have been made by schools or colleges to locate the child without success, they should refer their concerns to the Education Welfare Team Manager for CYPES.

See Children Missing from Education (CME) Policy. [CYPES School Attendance Policy](#)

### Elective Home Educated (EHE)

189. Where a parent notifies the school that they are removing the child so they can be educated at home, the following notifications should be made:
  - The Education Welfare Team Manager should be contacted.
  - If the child has an allocated Social Worker, they should be notified immediately.
  - If the school or college have concerns about the child's welfare, the DSL should make a referral to the Children and Families Hub.

### Online-Safety:

Schools need to manage the attendant risks actively and in a timely manner in order to achieve effective online safeguarding [Online Safety Policy](#)

190. The field of online/electronic safeguarding, also known as e-safety, is constantly evolving with the pace of technological change.
191. Headteachers, Governors, trustees and proprietors should regularly review the effectiveness of school filter and monitoring systems. They should ensure that the leadership team and relevant staff are:
- Aware and understand the systems in place
  - Manage them effectively
  - Know how to escalate concerns when identified
192. Schools, colleges and education services should speak with parents and carers about children's access to online sites when away from those establishments.
193. Schools, colleges and education services should use communications with parents and carers to reinforce the importance of children being safe online. They should share information with parents and carers about the following:
- What systems they have in place to filter and monitor online use
  - What they are asking children to do online, including sites they will be asked to access
  - Who from school, college or education service, if anyone, is their child likely to be, or going to be interacting with online.
194. For more information about online Safety refer to **Appendix E**

## Positive Behaviour Support and Restrictive Physical Intervention

195. Restraint should only be used as a last resort after other strategies included in the behaviour policy. Physical restraint always carries a risk to the child or staff who may be harmed, physically or emotionally. Inappropriate or excessive use of restraint can lead to an allegation of assault. Please refer to [Positive Behaviour and Exclusions Policy](#)
196. It is schools/college's policy to use physical intervention and restraint only in line with the [Positive Behaviour and Exclusions Policy](#). The schools/colleges policy should include guidelines for staff to reduce the risk of harm to children and to reduce the likelihood of allegations being made against staff.
197. **Smoking and Vaping** should be managed as unacceptable behaviour in schools, colleges and education services, so policies need to be in place for dealing with such behaviours. It is good practice for students and parents to be part of a consultation process when developing your own policies as this is more likely to promote shared ownership, agreement and partnership working.

## What nursery, school, college and education service staff should do if they have safeguarding concerns about another staff member?

199. If staff members have concerns about another staff member's behaviour or attitude towards children, or their safeguarding practice, then this should be referred to the Headteacher, principal, manager or proprietor.
200. Where there are concerns about the Headteacher, principal, manager or proprietor, allegations should be reported directly to the Designated Safeguarding Officer (DSO) for Education, CYPES **and** the Jersey Designated Officer (JDO). Full details can be found in Part Four of this guidance.
201. If staff have a safeguarding concern or an allegation about another member of staff (including supply staff, volunteers or contractors) that does not meet the harm threshold, then this should be shared in accordance with the school or college low-level concerns policy.

## Low-Level Concerns

202. Schools, colleges and education services can choose to whom low-level concerns about staff are reported to, so long as it is clear in their policies. All staff should be aware of how to handle low-level concerns, allegations against staff and whistleblowing. See SPB [Low-Level Concerns About Adult-Behaviour Towards Children](#)

In nurseries, schools, colleges and education services, it should be made clear in the staff behaviour policy, sometimes known as the Code of Conduct, what the expected professional behaviours are, and how to report low level concerns, or formal allegations against staff.

## Managing Allegations Against Staff or Volunteers in Nurseries, Schools, Colleges and Education Services

203. In the event that an allegation is made against a member of staff or volunteer, the nursery, school, college or education service will follow CYPES [managing allegations policy](#)
204. The nursery, school, college or education service will appoint a responsible staff member (usually the Headteacher, Principal or Manager) who will be the representative for the purpose of managing all allegations. They should contact CYPES, DSO, or in their absence, the Service Manager for Vulnerable Children, or the CYPES Director for Inclusion for all allegations raised.

205. A second member of staff should be identified, who is usually the Deputy Headteacher, Deputy Principal or Deputy Manager to act in their absence **or if allegations are made against the Headteacher, Principal or Manager.**
206. Where a staff member or volunteer is removed from the school following an allegation against them being upheld, and it is agreed by CYPES panel that the person is unsuitable to work with children, the Human Resource Manager/Head of Case Management will refer the individual to the Disclosure and Barring Service. Also see the Jersey Safeguarding Partnership Board (SPB) [Microsoft Word - JDO 2022 Final Operational \(safeguarding.je\)](#)
207. Nurseries, Schools,colleges and education services may receive an allegation relating to an incident that happened when an individual or organisation was using their premises for the purposes of running activities for children (for example community groups, sports associations, or service providers that run extra-curricular activities). As with any safeguarding allegation, nurseries, schools,colleges and education services should follow their safeguarding policies and procedures, including informing the DSO and JDO.

## Whistleblowing and escalation of concerns

The nursery, school, college or education service recognises there may be circumstances where staff and pupils feel unable to raise concerns or incidents of malpractice within their environment as there is reasonable doubt that these would be dealt with adequately.

208. **All staff and volunteers** have a responsibility to raise concerns where they feel individuals or establishments are failing to safeguard and promote the welfare of children.
209. Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, staff and volunteers should report their concerns to CYPES, Designated Safeguarding Officer or the Director of Inclusion. The [20210126-V5-Resolving-Professional-Differences-Escalation-Policy-FINAL-Operational.pdf \(safeguarding.je\)](#) can be implemented to address your concerns.
210. The [Whistleblowing Advice Line | NSPCC](#) is available for staff who do not feel able to raise concerns regarding child protection failures internally.

## Safeguarding Vulnerable Children - Specific Client Groups

### Children with special educational needs and/or disability (SEN/D)

211. Research has shown that children with disabilities are more vulnerable to abuse than other children and safeguarding children's welfare are everybody's responsibility. Therefore, awareness between professionals about safeguarding children with additional needs and what constitutes best practice is essential.

- Speech, language and communication difficulties may make it difficult for children to tell adults what is happening to them, or in their lives.
  - Many children with disabilities are at an increased likelihood of being socially isolated with fewer outside contacts.
  - Children with SEND often do not have access to someone they can trust to disclose that they are suffering harm.
  - Children with SEND may be more vulnerable to bullying and intimidation.
  - Dependency on parents and carers for practical assistance in daily living, including intimate personal care, may increase their risk of exposure to abusive behaviour.
  - Children with SEND may have limited capacity to resist or avoid abuse.
212. Assessments for some children with SEND may require a Record of Need (RoN) to ensure they receive the additional support and resources to meet their educational, emotional and social needs. Where children have physical and/or medical needs, other individual assessments will be completed by paediatricians, nurses, and therapists and a Care Plan will be implemented as part of their Individual Education Plan.

#### [Special Educational Needs Code of Practice 0-19 years](#)

213. Where a child requires several assessments, it is important that these are coordinated with an identifiable lead worker/s so that the child's needs do not become lost between different agencies and processes involved and their care. Therefore, multi-disciplinary assessments and reviews should be coordinated by the most appropriate qualified practitioner.
214. Practitioners CPD and Learning resources to enable staff to meet the needs of all pupils, including pupils with learning differences: [National Association for Special Educational Needs \(NASEN\) UK](#)

## Providing intimate or personal care to pupils

215. Staff in nurseries, schools, colleges and special schools may need to provide intimate or personal care to pupils, e.g., helping a child who has soiled themselves or supervising pupils who are changing for P.E. They must have a written policy in place in order to promote safe working practices for staff and ensure children's privacy. See: [-Intimate Care Policy](#)

## Domestic Abuse

### What is domestic abuse?

216. When we talk about *domestic abuse*, we are not just talking about violence, but a number of other types of behaviours. Domestic abuse (DA) has a significant negative impact on

both the victims and the children living with or witnessing this type of abuse. Nurseries, schools, colleges and Education Services should treat and manage disclosures of DA as a serious safeguarding concern.

217. Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.
218. Domestic abuse is an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence. In most cases, this abuse is perpetrated by a partner or ex-partner, but also may be by a family member or carer. It is very common.

**Domestic abuse can include, but is not limited to, the following:**

- Coercive Control (an act or pattern of intimidation, degradation, humiliation, isolation or other abuse that is used to harm, punish or frighten)
  - Psychological and/or emotional abuse
  - Physical or sexual abuse
  - Financial abuse
  - Harassment and Stalking
  - Online abuse
220. Domestic abuse also includes different forms of family violence such as, adolescent to parent abuse, forced marriage, female genital mutilation and so called “honour crimes” that are perpetrated primarily by family members, often with multiple perpetrators.
221. Anyone can experience domestic abuse regardless of gender, age, race, ethnic or religious group, sexuality, class, or disability.
222. The impact on children witnessing domestic abuse should not be underestimated and nurseries, schools, colleges and education services play a key role in recognising the signs, supporting children and know where and how to refer for additional support for families.
223. Domestic abuse has a serious impact on children’s health and wellbeing and has significant safeguarding implications as outlined in the Save Lives (UK) report: [In plain sight the evidence from children exposed to domestic abuse.pdf \(safelives.org.uk\)](https://safelives.org.uk)
224. Nurseries, Schools, colleges and education services have a central role is supporting children living with or witnessing DA and the victims involved. Designated Safeguarding Leads (DSL) will receive domestic abuse notifications (DAN) from the multi-agency safeguarding hub when a DA incident has been reported and the police have been

involved. It is important that the DSL informs all relevant staff so that additional support can be implemented during the day for any child linked to victim or the perpetrator. For primary school children this is likely to be the class teacher; for secondary school children it may be the form tutor, head of year or relevant subject teachers.

225. If the child already receives additional support. For example, the Social, Emotional and Mental Health Team (SEMHIT), the Emotional Literacy Support Assistant (ELSA) or school counsellor may already be working with the child and family so they should be informed on 'a need to know' basis as such information is likely to influence their approach and assessment of the child.

See Appendix C.

### **Being prepared for the unexpected - domestic abuse is part of a child's experience**

226. The child may be unusually upset and emotional, but equally, they may present as withdrawn and 'not their usual self'. The identified staff need to observe and monitor. There is a chance the child will disclose to an adult about what has happened or share further information that raises further concern. Staff need to manage any disclosures in the usual way according to safeguarding children procedures.

### **Advice and support for nurseries, schools, colleges and education services**

227. If the DSL/Headteacher/deputy would like any further information in relation to the operation of this protocol, they can contact the DSO at CYPES. Please note if there are any concerns regarding a child, a consultation or referral to the Children and Families Hub would be appropriate.

### **For more information about domestic abuse, how and where to get support see:**

SPB Domestic abuse guidance pathway for professionals: [Microsoft Word - Domestic abuse guidance for professionals 2022 updated \(safeguarding.je\)](#)

Jersey Domestic Abuse Support: [Jersey Domestic Abuse Support \(jdas.je\)](#)

FREEDA (Previously Jersey Women's Refuge): [Freedda | Free from Domestic Abuse](#)

States of Jersey Police multi-agency support : [States of Jersey Police - Domestic abuse](#)

## **Lesbian, Gay, Bi-sexual, Trans\* and Questioning (LGBTQ+) pupils**

228. There is a greater emphasis on risks for LGBTQ+ children and/or those that are perceived to be. Staff are reminded that LGBTQ+ inclusion is part of the statutory relationships' education/relationships and sex education curriculum. It is important that children feel safe and are provided with a safe space to share any concerns they may have with staff - confidentially and safely.

## **Child Criminal Exploitation and Child Sexual Exploitation (CCE/CSE)**

229. Some young people are at risk of child exploitation either because they are involved with anti-social behaviours or 'group/gang activity', or because they become a victim of anti-social group activity.
230. Older children involved in negative group activity may put their younger siblings at risk of violence or from competing or opposing groups; younger siblings may also become victims of grooming activity and culture. Female siblings or friends may be at risk of sexual exploitation or sexual violence.
231. Nurseries, schools, colleges and education services have a key role in educating children about the dangers and importance of keeping themselves safe. Child exploitation and child sexual exploitation (CSE) should be taught within the PSHE curriculum within the context of a healthy relationships programme.
232. School Counsellors, School Attendance Officers and Education Welfare Officers need to be aware of any signs of suspected child exploitation activity within their settings and are often in key positions to hear concerns throughout their community about young people. If any staff has concerns or suspicions around child exploitation and/or CSE, they must discuss this in the first instance with their Designated Safeguarding Lead.

### [Child Sexual Exploitation](#)

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

233. FGM is a form of child abuse and involves a procedure where the female genitals are deliberately cut, injured or changed, with no medical reason. Several other terms are commonly used; female circumcision, cutting, sunna and gudnin, among other names.
234. FGM is usually carried out on girls from birth, during infancy up to the age of 15 years, most commonly prior to the onset of puberty with the average age tending to be 10 to 12 years. Female genital mutilation is extremely painful and traumatic and is performed without any

anaesthetic. This brutal practice can be found mainly amongst communities from sub-Saharan Africa but is also performed in some communities from the Middle East and Asia.

235. Adult women can also be subjected to FGM. The mutilation of the female genitalia seriously harms the health of girls and women with both short- and long-term problems, which significantly effects their quality of life physically, emotionally, psychologically and sexually. ***The 1989 Convention on the Rights of the Child ratified in Jersey protects against all forms of mental and physical violence and maltreatment (article 19.1); to freedom from torture or cruel, inhuman or degrading treatment (article 37a), and requires States to take all effective and appropriate measures to abolish traditional practices prejudicial to the health of children (article 24.3).***
236. Nurseries, schools, colleges and education services need to be aware of girls who are at risk of FGM or have been abused through FGM. For those at risk, settings should be aware of any family plans to take the girl out of Jersey for a prolonged period, or a holiday.
237. **Under the Sexual Offenses (Jersey) Law 2018** is it a criminal offence to carry out FGM on another person and can carry a prison sentence of 14 years. In the UK, anyone who performs FGM can face up to 14 years in prison; anyone found guilty of failing to protect a girl from FGM can face up to 7 years in prison, and it is an offence to:
- take a child abroad for FGM
  - to help a girl perform FGM on herself in or outside the UK
  - help anyone perform FGM in the UK
  - help anyone perform FGM outside the UK on a UK national or resident
  - fail to protect a girl for whom you're responsible for from FGM

[NSPCC Protecting children from FGM](#)

[NHS UK Female genital mutilation information](#)

[FGM-7MB.pdf \(safeguarding.je\)](#)

238. If you have a reason to suspect that the child may have undergone, or is likely to become a victim of FGM by travelling to another country accompanied by their parent/relative or other adult, the DSL should contact CYPES DSO on 07797924274, the Children and Families Hub on 519000 or the States of Jersey Police Public Protection Unit on 612612 **immediately** without notifying parents.

## Trafficked children

239. Some children may have been illegally brought into Jersey for the purposes of commercial gain, e.g. as domestic servants or forced labour. They will be heavily controlled by their exploiters and likely to be moved frequently in order to avoid detection by the authorities.

Parents or adult carers arriving with children may also be vulnerable and under exploitative control.

240. To avoid suspicion, traffickers may enrol a child on entry to Jersey posing as a family member but remove the child from nursery or school shortly after. Nurseries and schools need to be aware of any child who suddenly “disappears” off roll with no prior explanation, or applications for a place at the nursery or school for several unrelated children from the same address.
241. Any concerns about a child should be reported to the DSO and contact the Children & Families Hub.

## Safeguarding Children and Young People Against Radicalisation and Violent Extremism

242. Definition: Radicalisation is defined as the process by which people come to support terrorism and extremism and, in some cases, to then participate in terrorist groups.
243. “Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas” (HM Government Prevent Strategy 2011).
244. Extremism and radicalisation should be covered in PSHE and cross referenced in other relevant subjects where appropriate. The States of Jersey Police have a named officer who can support schools, colleges and education services should they have concerns that a child is potentially being radicalised.

### Indicators

245. With regard to issues that may make an individual vulnerable to radicalisation, these can include:
- **Identity Crisis-** Distance from cultural / religious heritage and uncomfortable with their place in the society around them;
  - **Personal Crisis-** Family tensions; sense of isolation; adolescence; low self-esteem; disassociating from existing friendship group and becoming involved with a new and different group of friends; searching for answers to questions about identity, faith and belonging;
  - **Personal Circumstances-** Migration; local community tensions; events affecting country or region of origin; alienation from UK values; having a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;

- **Unmet aspirations-** Perceptions of injustice; feeling of failure; rejection of community values;
- **Criminality-** Experiences of imprisonment; previous involvement with criminal groups

246. **Those closest to the individual may first notice the following changes of behaviour:**

- General changes of mood, patterns of behaviour, secrecy;
- Changes of friends and mode of dress;
- Use of inappropriate language;
- Possession of violent extremist literature;
- The expression of extremist views;
- Advocating violent actions and means;
- Association with known extremists;
- Seeking to recruit others to an extremist ideology.
- 

#### [SCP B Safeguarding Children and Young against Radicalisation](#)

If you have a concern about a child becoming radicalised, contact the Children and Families Hub or the DSO in the first instance without notifying the parents or carers.

At the early stages of any police investigation, it is vital that the police complete their preliminary inquiries and research before speaking with parents or carers, or anyone else living within the household.

## Specific safeguarding issues

247. **All** staff should have an awareness of safeguarding issues, some of which are listed below. Staff should be aware that behaviour-linked issues such as, of drug taking, alcohol abuse, truancy and sexting put children in danger.
248. **All** staff should be aware that safeguarding issues can manifest themselves via child-on-child abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender-based violence/sexual assaults and sexting. Staff should be clear as to the school or college's policy and procedures with regards to child-on-child abuse.

## Preventative Education

249. Senior leaders are reminded of the crucial part education settings play in preventative education within the context of a whole-school or college approach that creates a culture that does not tolerate any form of prejudice or discrimination, including sexism and

misogyny/misandry. The expectation is that schools and colleges' values and standards in this area will be underpinned by their behaviour policy, pastoral support system, as well as a planned programme of evidence based PSHE.

250. Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example, information for schools and colleges can be found on the [TES, MindEd](#) and the [NSPCC](#) websites.

Staff can access guidance as required on the issues listed below

## Other Safeguarding links

- [CYPES counter bullying policy](#)
- [Domestic violence and abuse](#)
- [Children of parents who misuse substances](#)
- [Potential risk of harm to an unborn child](#)
- [Fabricated or induced illness](#)

### Abuse linked to Faith or Belief

- [Forced marriage](#)
- [Gang Activity, Youth Violence and Criminal Exploitation Affecting Children](#)
- [Jersey Safeguarding Partnership Board Serious Case Reviews](#)
- [Private fostering](#)
- [Harmful sexual behaviour \(HSB\) or child-on-child sexual abuse | NSPCC Learning](#)
- [Underage sexual activity](#)
- [Online Learning Best Practice Guidelines for Teachers Gov.je](#)
- [Online Safety Policy.pdf \(gov.je\)](#)
- [CYPES online safety policy](#)
- [E-safety: children exposed to abuse through digital media](#)

- [Safeguarding children and young people against radicalisation and violent extremism](#)
- [Trafficked children](#)

## Appendices and further information

### Appendix A: Sample template for recording a concern

In the event you do not have access to the MyConcern safeguarding reporting and recording system at the time of a disclosure, a 'Safeguarding Record of Concern Form' should be fully completed and shared with the Designated Safeguarding Lead (DSL) for your school or education setting immediately. This should be accompanied by a body map when required.

<b>Child's Name:</b>			
<b>Child's DOB:</b>			
<b>Age and year group</b>			
<b>Gender:</b>	<b>Religion:</b>	<b>SEND: Y/N [Details]</b>	<b>Ethnicity:</b>
<b>Date and time of concern:</b>			
<b>Your account of the concern:</b>			
(What was said, observed, reported and by whom)			
<b>What did the child / young person say:</b>			
<b>Additional information:</b> (Your observations, context of concern/disclosure)			
<b>Your response :</b>			
(What did you do/say following the concern)			
<b>Your name in PRINT please</b>		<b>Your signature:</b>	
<b>Your position in school:</b>		<b>Date &amp; time of this recording:</b>	
		<b>Date &amp; time referred to Headteacher / DSL</b>	

<b>Action and response of DSL/Headteacher with date and time: <i>examples – discussed concern with parents, arranged a meeting with parents, completed children and families hub referral</i></b>	
<b>Feedback given to member of staff reporting concern:</b>	<b>Information shared with any other staff? If so, what information was shared and what was the rationale for this?</b>
<b>Name of Headteacher / DSL</b>	
<b>Print name:</b> _____	
<b>Signature:</b> _____	<b>Date:</b> _____

## Appendix B: Responding to a disclosure of abuse

- Be mindful of your reaction and body language - you must remain calm.
- Reassure the child or young person that they have done the right thing.
- Illicit enough information to decide if this is a safeguarding issue.
- **DO NOT investigate.**
- **ONLY** use open-ended questions. **Never ask leading questions.**

**Use the T.E.D model: T**ell **E**xplain **D**escribe (*i.e.: tell me more about that, explain what you mean by that, describe what happened*)

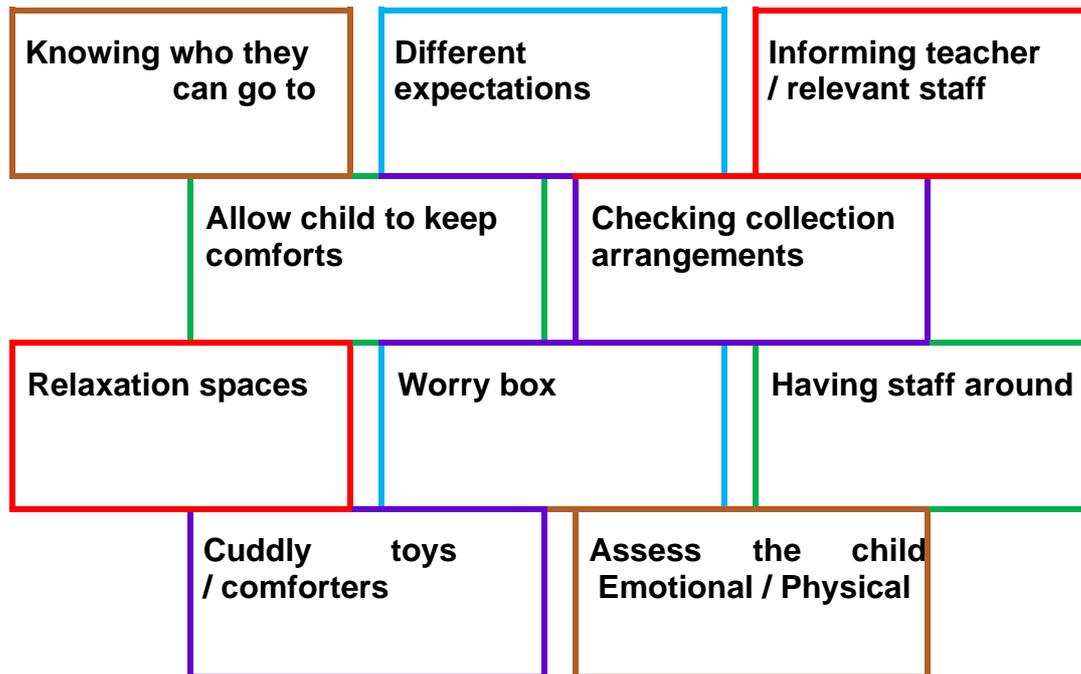
- Do not leave the child or young person alone.
- **Inform your Designated Safeguarding Lead immediately.**
- Record your conversation as soon as possible using the child/YP's words - not your own interpretation of events.

Your notes will be included in the Children & Families Hub referral or as police evidence. The decision-maker in MASH will decide on the appropriate action.

## Appendix C: Domestic Abuse:

### Types of Overt or Silent Support for children living with domestic abuse

#### Silent support



## Appendix D: Roles and Responsibilities

### Role of the Designated Safeguarding Lead (DSL) for nurseries, schools, colleges, and other education services

Headteachers, Principals and Managers should appoint an appropriate **senior member** of staff, from the nursery, school, college or education service **leadership team** to the role of designated safeguarding lead (DSL).

The DSL should take **lead responsibility** for safeguarding and child protection. This should be explicit in the post holder's job description. This person should have the appropriate status and authority within the establishment to carry out the duties of the post. They should be given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings – and/or to support other staff to do so – and to contribute to the assessment of children.

#### Deputy designated safeguarding leads

It is a matter for individual establishments as to whether they choose to have one or more deputy designated safeguarding lead(s). Any deputies should be trained to the same standard as the designated safeguarding lead.

Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate **lead responsibility** for child protection, as set out above, remains with the designated safeguarding lead; this **lead responsibility** should not be delegated.

#### Manage referrals

The designated safeguarding lead is expected to:

- Refer cases of suspected abuse to the Children & Families Hub as required;
- Support staff who make the Children & Families Hub referrals;

#### Work with others

The Designated Safeguarding Lead is expected to:

- Liaise with the Headteacher, Principal or Manager to inform them of issues especially ongoing assessments under Article 42 of the Children (Jersey) Law 2002 and police investigations.

- as required, liaise with the “case manager” (as per Part Four) CYPES Designated Safeguarding Officer (DSO) for child protection concerns (**all cases which may involve a staff member**)
- as required, contact the CYPES Designated Safeguarding Officer when managing allegations made against staff or volunteers.
- liaise with staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies. Act as a source of support, advice, and expertise for staff.

## Training

The Designated Safeguarding Lead (DSL) (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. They should complete the SPB DSL training as a minimum and training must be updated annually.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, but at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- understand the assessment process for providing early help and intervention, for example through the Early Help approach or by requests for involvement to services
- have a working knowledge of how a child protection case conference is conducted and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- ensure each member of staff has access to and understands the nursery, school, college or education service’s safeguarding and child protection policy and procedures, especially new and part time staff.
- are alert to the specific needs of children in need, those with special educational needs and young carers.
- can keep detailed, accurate, secure written records of concerns and referrals using My Concern software solution.
- obtain access to resources and attend any relevant or refresher training courses.

- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the nursery, school, college or education service put in place to protect the child.

## Opportunities to safeguard children through teaching

Governing bodies, proprietors and managers should ensure that children are taught about how to keep themselves and others safe, including online. It should be recognised that effective education will be tailored to the specific needs and vulnerabilities of individual children, including children who are victims of abuse, and children with special educational needs or disabilities.

In schools, relevant topics will be included within Relationships Education (for all primary pupils), and Relationships and Sex Education (for all secondary pupils) and Health Education (for all primary and secondary pupils).

In schools, relevant topics will be included within Relationships Education (for all primary pupils), and Relationships and Sex Education (for all secondary pupils) and Health Education (for all primary and secondary pupils). In teaching these subjects schools must have regard to the UK statutory guidance which can be found [here](#).

Schools and colleges play a crucial role in preventative education. Preventative education is most effective in the context of a whole-school or college approach that prepares pupils and students for life in modern Britain and creates a culture of zero tolerance for sexism, misogyny/misandry, homophobia, bi-phobic and sexual violence and/or harassment. The school/college will have a clear set of values and standards, upheld and demonstrated throughout all aspects of school/college life. These will be underpinned by the school/college's behaviour policy and pastoral support system, as well as by a planned programme of evidence based PSHE delivered in regularly timetabled lessons and reinforced throughout the whole curriculum. Such a programme should be fully inclusive and developed to be age and stage of development appropriate (especially when considering the needs of children with SEND and other vulnerabilities). This program will tackle at an age-appropriate stages issues such as:

- healthy and respectful relationship
- boundaries and consent
- stereotyping, prejudice and equality
- body confidence and self-esteem
- how to recognise an abusive relationship, including coercive and controlling behaviour
- the concepts of, and laws relating to- sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse, so called honour-based violence such as forced marriage and Female Genital Mutilation (FGM), and how to access support, and

- what constitutes sexual harassment and sexual violence and why these are always unacceptable.

The UK Department for Education (DfE) has produced a one-stop hub for teachers which can be accessed here: [Teaching about relationships sex and health \(Gov.uk\)](#). This includes teacher training modules on the PSHE topics and non-statutory implementation guidance. Further guidance focused on teaching relationships education specifically to prevent sexual harassment and sexual violence will be published in Spring 2022.

The following resources, plus many more listed in Annex B, may also help schools and college understand and teach about safeguarding:

- DfE advice for schools: teaching online safety in schools
- UK Council for Internet Safety (UKCIS)37 guidance: Education for a connected world
- UKCIS guidance: Sharing nudes and semi-nudes: advice for education settings working with children and young people
- The UKCIS external visitors guidance will help schools and colleges to ensure the maximum impact of any online safety sessions delivered by external visitors
- National Crime Agency's CEOP education programme: Thinkuknow
- Public Health England: Every Mind Matters Harmful online challenges and online hoaxes - this includes advice on preparing for any online challenges and hoaxes, sharing information with parents and carers and where to get help and support.

Whilst it is essential that governing bodies, proprietors and managers ensure that appropriate filters and monitoring systems are in place, they should be careful that “over blocking” does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding.

## **Raising Awareness of Safeguarding Concerns and Practice/Staff CPD**

The DSL should:

- Ensure the nursery, school, college or education service’s child protection policies are known, understood and used appropriately.
- Ensure the nursery, school, college or education service’s Safeguarding Policy is reviewed annually, as a minimum, and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this.
- Ensure the Safeguarding Policy is available publicly and parents/carers are aware that referrals about suspected abuse or neglect may be made and the role of the nursery, school, college or education service in this.

- It is recommended that the nursery, school, college or education service safeguarding policies are shared on their website and hard copy is available at the office or reception.
- Link with the SPB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.

## **Safeguarding and child protection records**

Where children leave the nursery, school, college or education service, ensure all safeguarding and/or child protection records are transferred to the new education establishment along with their whole record within 5 days for an in-year transfer or within the first 5 days of the start of a new term. Transition meetings should be arranged between DSLs of both locations and any sensitive information should be handed over/discussed on a face-to-face basis.

## **Availability**

During term time the DSL (or a deputy) should always be available (during normal school day hours) for staff in the school, college to discuss any safeguarding concerns. Whilst generally speaking the DSL (or deputy) would be expected to be available in person, it is a matter for individual schools and colleges, working with the DSL, to define what “available” means and whether in exceptional circumstances availability via phone and/ or Teams or other such media is acceptable.

It is a matter for individual settings and the designated safeguarding lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

## **Role of the Designated Safeguarding Officer (DSO) for Education, CYPES; the DSO will:**

Act as a point of contact for safeguarding advice and guidance for all schools, and across the range of services and settings that constitute the Education Department.

Oversee and monitor Education Directorate policies, procedures, and guidance in respect of safeguarding and protecting children and young people.

Represent the Education Directorate for island wide operational groups including Jersey Multi-Agency Public Protection Arrangements (JMAPPAs).

Represent the Education Directorate at Multi-Agency Risk Assessment Conferences (MARAC).

Representative for the Education Directorate on several Safeguarding Partnership Board Sub- Groups.

The DSO provides support and consultation for colleagues when a Children and Families Hub and/or MASH threshold is not met, and will work in partnership to resolve professional difference, for example, where there may be a need to escalate concerns [SPB Resolving Professional Differences/Escalation Policy](#)

### **Manage all allegations against staff or volunteers/adults in education settings:**

- Provide, as required, advice and guidance.
- Ensure effective liaison with partners where needed including (but not limited to) the Jersey Designated Officer (JDO), Human Resources, relevant Heads of Service, the Director of Inclusion, and the Group Director for Education as required.
- Collate and analyse information pertaining to allegations against staff / other concerns related to adults to ensure learning for stakeholders through formal reporting.
- If staff have a safeguarding concern or allegation about another member of staff (including supply staff, volunteers, or contractors) that does not meet the harm threshold, then this should be shared in accordance with the low-level concerns policy. Further details can be found in Part Four of this guidance.

### **Review and assess safeguarding practice**

This will include completing reviews for a variety of concerns/incidents and report to the Director for Inclusion. This includes completing quality assurance reviews using the Safeguarding Health Check Audit Tool.

### **Provide training/CPD**

- Designated Safeguarding Leads Update
- NQTs/School governors
- Children and Early Years Services
- SPB Child Safeguarding Foundation Training
- Work in partnership across agencies with Designated Safeguarding Lead professionals
- Bespoke safeguarding training at request of Group Director for Education

## Appendix E: Online safety

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers a school, college or education service to protect and educate their whole community in the use of technology and establishes mechanisms to identify, intervene in and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material.
- **contact:** being subjected to harmful online interaction with other users.
- **conduct:** personal online behaviour that increases the likelihood of or causes harm.
- **commerce:** risks such as online gambling, inappropriate advertising, phishing and or financial scams

### Filtering and monitoring

Schools, colleges and education services should be doing all that they reasonably can to limit children's exposure to the above risks from their IT system. As part of this process, they should have appropriate filters and monitoring systems in place. Filters and monitoring systems should apply to other school mobile devices such as school laptops, iPad etc.

Whilst considering their responsibility to safeguard and promote the welfare of children, and provide them with a safe environment in which to learn, headteachers, governing bodies, proprietors and managers should consider the age range of their pupils, the number of pupils, how often they access the IT system and the proportionality of costs vs risks.

The appropriateness of any filters and monitoring systems are a matter for individual schools and colleges and will be informed in part by the risk assessment required by the Prevent Duty. [Protecting children from radicalisation: the prevent duty - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The UK Safer Internet Centre has published guidance as to what "appropriate" might look like:

Whilst filtering and monitoring are an important part of the online safety picture for schools and colleges to consider, it is only one part, there should be a whole school approach to online safety. This will include a clear policy on the use of mobile technology in the school. Many children have unlimited and unrestricted access to the internet via 3G and 4G and the school, college or education service should carefully consider how this is managed on their premises.

Whilst it is essential schools, colleges and education services ensure that appropriate filters and monitoring systems are in place, they should be careful that “over blocking” does not lead to unreasonable restrictions as to what children can be taught with regards to online teaching and safeguarding.

Governors, Headteachers, proprietors and managers have a responsibility to ensure effective filters and monitoring systems to capture online activity are in place.

Education settings are directly responsible for ensuring they have the appropriate level of security protection procedures in place in order to safeguard their systems, staff and learners and review the effectiveness of these procedures periodically to keep up with evolving cyber-crime technologies.

### **Staff training: Online Safety**

Senior leaders should ensure that, as part of the requirement for staff to undergo regularly updated safeguarding training and the requirement to ensure children are taught about safeguarding, including online, that online safety training for staff is integrated, aligned, and considered as part of the overarching safeguarding approach.

### **Information and support**

There is a wealth of information available to support schools and colleges to keep children safe online. The following is not exhaustive but should provide a useful starting point:

[www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

[www.disrespectnobody.co.uk](http://www.disrespectnobody.co.uk)

[www.saferinternet.org.uk](http://www.saferinternet.org.uk)

[www.internetmatters.org](http://www.internetmatters.org)

[www.childnet.com/cyberbullying-guidance](http://www.childnet.com/cyberbullying-guidance)

[www.pshe-association.org.uk](http://www.pshe-association.org.uk)

[educateagainsthate.com](http://educateagainsthate.com)

[www.gov.uk/government/publications/the-use-of-social-media-for-onlineradicalisation](http://www.gov.uk/government/publications/the-use-of-social-media-for-onlineradicalisation)

## Appendix F: Further information on a child missing from education

Children being absent from education for prolonged periods and/or on repeat occasions can act as a vital warning sign to a range of safeguarding issues including neglect, child sexual and child criminal exploitation. It is important the school, college or education service response to persistently absent pupils and children missing from education supports identifying such abuse, and in the case of absent pupils, helps prevent the risk of them becoming a child missing education in the future. This includes when problems are first emerging but also where children are already known to children's social care and have an allocated a social worker. It is important that schools, colleges and education services recognise that being absent from education may increase known safeguarding risks within the family or in the community.

All children, regardless of their circumstances, are entitled to a full-time education, which is suitable to their age, ability, aptitude and any special educational needs they may have. There is a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing from education in Jersey. Effective information sharing between parents/carers, schools, colleges, education services and the Education Department is critical to ensuring that all children are safe and receiving suitable education.

A child going missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation. All staff should follow their procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future.

Schools, colleges and education services should put in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict regions, female genital mutilation and forced marriage or exploitation.

### Schools

The law requires all schools to have an admission register and an attendance register. All pupils must be placed on both registers. Schools must place pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date,

the school should consider notifying the Education Directorate at the earliest opportunity to prevent the child from going missing from education.

It is important that the admission register is accurate and kept up to date. Schools should regularly encourage parents/carers to inform them of any changes whenever they occur. This can assist the school and the Education Directorate when making enquiries to locate children missing from education.

Schools should monitor attendance and address it when it is poor or irregular. All schools must inform the Education Directorate of any pupil who fails to attend school regularly or has been absent without the school's permission for a continuous period of 10 school days or more.

Where a parent/carer notifies a school that a pupil will live at another address, **all** schools must record in the admission register:

- the full name of the parent with whom the pupil will live;
- the new address; and
- the date from when it is expected the pupil will live at this address.

Consideration and referral to the Children and Families Hub professional referral process should be made if school suspect parents have arranged or agreed to private fostering arrangements.

Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, schools must record this and inform the Education Directorate School Admissions Team of:

- the name and address of the new school; and
- the date on which the pupil first attended or is due to start attending that school.

Schools must also notify the Education Directorate School Admissions Team when a pupil leaves their school and that changes to school register are being made, they should provide the following information to the Education Directorate School Admissions Team at this time:

- the full name of the pupil;
- the full name and address of any parent/carer with whom the pupil lives;
- at least one telephone number of the parent/carer with whom the pupil lives;
- the full name and address of the parent/carer with whom the pupil is going to live, and the date the pupil is expected to start living there, if applicable;

- the name of the pupil's destination school and the pupil's expected start date there, if applicable; and
- the grounds under which the pupil's name is to be deleted from the admission register and;
- Schools should also consider whether it is appropriate to highlight any contextual information of a vulnerable child who is missing from education, such as any safeguarding concerns.

It is essential that schools comply with these requirements, in order to identify children of compulsory school age who are missing from education, ensure the follow up with any child who might be at risk of not receiving an education and who might be at risk of being harmed, exploited or radicalised.

## College

Where a college is providing education for a child of compulsory school age, the college shall work collaboratively with the Education Directorate in order to share information about the attendance and/or absences of that child as necessary. The college should also inform the Education Directorate immediately if that child is removed from the roll to ensure the identification of children of compulsory school age who are missing education.

## Further information on child sexual exploitation

**Child sexual exploitation** is a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point. Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions.
- Children who associate with other young people involved in exploitation.
- Children who have older boyfriends or girlfriends.
- Children who suffer from sexually transmitted infections or become pregnant.
- Children who suffer from changes in emotional well-being.
- Children who misuse drugs and alcohol.

- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss school or education or do not take part in education.
- 

## Appendix G: Children staying with host families

### Private fostering and educational institutions

Schools, colleges and education services quite often make arrangements for children to have learning experiences where, for short periods, the children may be provided with care and accommodation by a host family to which they are not related. This might happen, for example, but not only, as part of a foreign exchange visit or sports tour. Such arrangements could amount to “private fostering”

The following paragraphs are not intended to be a comprehensive guide to all the circumstances in which private fostering may arise, but only to those situations which might arise for a school, college or education service in the normal course of their activities in promoting learning activities for children. Schools, colleges and education services quite often plan for their children receiving education at their institution to have learning experiences where, for short periods, the children may be provided with care and accommodation by a host family to whom they are not related. This might happen, for example, as part of a foreign exchange visit or sports tour, often described as ‘homestay’ arrangements

- In some circumstances the arrangement where children stay with UK families could amount to “private fostering”.
- Under the Children (Jersey) Law 2002 section 59, private foster carers and those with **Parental Responsibility** are required to notify the authority of their intention to privately foster or to have a child privately fostered, or where a child is privately fostered in an emergency.
- Teachers, health and other professionals should notify the authority of a private fostering arrangement that comes to their attention, where they are not satisfied that the arrangement has been or will be notified.
- It is the duty of the Government of Jersey to satisfy itself that the welfare of the children who are privately fostered within the island, or off island, are being satisfactorily safeguarded. Children’s Social Care must also arrange to visit privately fostered children at regular intervals. All arrangements and regulations in relation to Private Fostering are set out in the [Children \(Private Arrangements for Fostering\) Regulations 2005](#). Children

should be given the contact details of the social worker who will be visiting them while they are being privately fostered. See Private Fostering, [Part 8 of the Children \(Jersey\) Law 2002](#).

## Children in Residential Settings

- Children in such settings are particularly vulnerable and must be listened to.
- All such establishments must have in place complaints procedures for children and young people, visiting and contact arrangements with social workers and Independent Visitors (for children looked after), as well as parents/carers, and advocacy services.
- Where there is reasonable cause to believe that a child in a residential setting has suffered or is likely to suffer [Significant Harm](#), a referral must be made to Children's Social Care in accordance with the [MASH Enquiries Procedure](#). The concerns may be related to bullying, children who exhibit harmful behaviour against other children or allegations about the behaviour of practitioners or volunteer.

## DBS check request by a regulated activity provider

Where a private fostering arrangement is made by a school, college or education service (such as a language school) and they have the power to terminate the arrangement, then it could be the regulated activity provider. A regulated activity provider will be committing an offence if they allow a person to carry out a regulated activity whilst barred and they know or have reason to believe that the person was barred. Where the school or college is the regulated activity provider, it should request a DBS enhanced check (which will include barred list information) to help determine their suitability for the arrangement. However, where the parents/carers make the arrangements themselves, this will be a private matter between the child's parents and the host parents and in these circumstances the school, college or education service will not be the regulated activity provider.

## Referral to the Children and Families Hub when private fostering is identified

Where schools, colleges and education services have not been involved in making the arrangement but a member of staff or volunteer becomes aware that a pupil may be in a private fostering arrangement, where a child is provided with care and accommodation by someone to whom they are not related in that person's home, they should raise this in the first instance with the DSL. They should then notify the MASH of the circumstances, by making a referral to the Children and Families Hub through the professional referral process so checks can be completed to ensure that the arrangement is suitable and safe for the child.

A person who is barred from regulated activity will themselves be committing an offence under the Children Act 1989 and under the Safeguarding Vulnerable Groups Act 2006 if they privately foster a child. If the school, college or education service has any reason to believe that the third party is failing to undertake a statutory duty, they should notify the police.

Schools, colleges and education services arranging for their pupils to stay with families overseas should be aware that the DBS cannot access criminal records held overseas and parents/carers should be informed of this before any trips. Host families in other countries, therefore, cannot be checked in the same way as establishments in the British Isles. Schools, colleges and education services should work with partner establishments abroad to ensure that similar assurances are undertaken prior to a visit. The Education Directorate and schools, colleges and education services can contact the relevant foreign embassy or High Commission of the country in question and find out if similar checks can be done in that country.

## Appendix H: Statutory guidance – regulated activity (children) - Supervision of activity with children that is regulated activity when unsupervised.

This UK statutory guidance on the supervision of activity with children which is regulated activity when unsupervised is also published separately on [GOV.UK](https://www.gov.uk)

Reasonable in the circumstances: within the statutory duty, the level of supervision may differ, depending on all the circumstances of a case. Organisations should consider the following factors in deciding the specific level of supervision the organisation will require in an individual case:

- Ages of the children, including whether their ages differ widely;
- Number of children that the individual is working with;
- Whether or not other workers are helping to look after the children;
- The nature of the individual's work (or, in a specified place such as a school, the individual's opportunity for contact with children).
- How vulnerable the children are (the more they are, the more an organisation might opt for workers to be in regulated activity).
- How many workers would be supervised by each supervising worker?

In law, an organisation will have no entitlement to do a barred list check on a worker who, because they are supervised, is not in regulated activity.

## Appendix I: Disclosure and Barring Service checks

These are the types of checks available to those working with children:

Type of check	What the check involves	Positions eligible for this level of check
<b>Standard check</b>	Check of the Police National Computer records of convictions, cautions, reprimands, and warnings.	The position being applied for must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
<b>Enhanced check</b>	<p>Check of the Police National Computer records <b>plus</b> additional information held by police such as interviews and allegations.</p> <p>Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed.</p>	The position being applied for must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and by provisions in the Police Act 1997 (Criminal Records) Regulations 2002.*
<b>Enhanced criminal record check with children's and/or adult's barred list information</b>	Check of the Police National Computer records <b>plus</b> additional information held by police <b>plus</b> check of the DBS Children's Barred List <b>plus</b> check of the DBS Adults' Barred List.	The position must be eligible for an enhanced level criminal record check as above and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check.

Any individual (including an applicant for a job which does not involve working with children) can be asked to apply for a basic criminal record check. This will just show unspent convictions and cautions. This service is currently provided through Disclosure Scotland.

# Appendix J: Child-on-Child Abuse Including sexual violence and sexual harassment between children

## 1. Context and Definition

### Types of abuse

- Physical abuse
- Sexual violence, sexual harassment, and misogyny
- Bullying
- Cyberbullying
- Online coercion, extortion and exploitation
- Sexting or Initiation / hazing
- Prejudiced behaviour
- Teenage relationship abuse

Child-on-child abuse is behaviour by an individual or group, intending to physically, sexually or emotionally hurt others. All staff should recognise that children may abuse other children.

**All staff** should be clear on the school, college or education service's policy and procedures with regard to child-on-child abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it.

**All staff** should understand that even if there are no reports in their establishment it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have **any** concerns regarding child-on-child abuse they should speak to their designated safeguarding lead (or a deputy).

All staff should be aware of safeguarding issues from child-on-child abuse including:

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm.
- sexual violence and sexual harassment.

Whilst the examples above are not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, making unacceptable comments or telling sexual stories;
- sexual remarks about clothes and appearance and using sexualized language or sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes.

Schools, colleges and education services should consider when any of the above infringes another child's right to feel safe and respected and crosses the threshold from sexual harassment to sexual abuse or violence.

Where sexual abuse is reported or witnessed, it is important to talk to and consider the experience of the victim where the following has occurred:

- the displaying of pictures, photos or drawings of a sexual nature; and
- sexting (also known as youth produced sexual imagery or 'sending nudes'); and
- initiation/hazing type violence and rituals.
- sexism
- misogyny

These types of abuse can be motivated by perceived differences, for example, on grounds of race, religion, gender, sexual orientation, disability or other differences and can result in significant, long lasting and traumatic isolation, intimidation or violence to the victim. Vulnerable adults are also at risk of harm.

#### **Other considerations - children or young people who harm others may have:**

- additional or complex needs:
- significant disruption in their lives
- been exposed to domestic abuse, witnessed or suffered other abuse
- educational under-achievement
- become involved in crime

Stopping violence and ensuring immediate physical safety is a priority, but emotional bullying can be as damaging as physical abuse.

All staff alongside the Designated Safeguarding Lead and/or their deputy need to make their own judgment about each specific case and should use this policy guidance to help.

## **2. Recognising child on child abuse – harmful sexual behaviour**

Harmful sexual behaviour may include:

- inappropriate sexual language or inappropriate role play
- sexual touching
- sexual assault

## **Considerations:**

Schools, colleges and education services need to ensure that any form of abuse or harmful sexual behaviour is dealt with immediately and consistently to reduce harm to the child, with mindful consideration to the impact on the individual child's emotional wellbeing and mental health.

Harmful sexual behaviour, sexual harassment and sexual violence can occur between two children of any age and gender. It can also involve a group of children sexually harassing or sexually assaulting a single child or group of children.

Child harmful sexual behaviour is not always contrived or meant to harm others. There may be many reasons why a child engages in harmful sexual behaviour and it may be just as distressing to the child who instigates it as to the child victim.

### **3. All staff should be aware of the importance of:**

Making it clear that sexual violence and sexual harassment is always unacceptable, will never be tolerated;

- Sexual violence and/or harassment is not an expected part of growing up is never tolerated or dismissed sexual as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”;
- Challenging behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts; and
- Up-skirting: where someone takes a picture under a person's clothing (not necessarily a skirt) without permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or to cause the victim humiliation, distress or alarm.

**It is a criminal offence. Anyone of any gender, can be a victim. Dismissing or tolerating any of the behaviour above risks normalising them**

### **4. Initiation or Hazing**

**Hazing** is intended as an initiation ceremony, or ‘rite of passage’, which is used to induct newcomers into an organisation, for example, a school, sports team or other. There are several different forms of hazing from relatively mild rituals to severe, and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of tests or trials, which is intended to promote a bond between the group.

After the hazing ritual/ceremony the newcomers are considered to have something in common with senior members of the organisation or group because they have all experienced this themselves as part of a rite of passage. However, many rituals involve humiliation, embarrassment, abusive acts, and harassment and can place individuals at significant risk of harm.

## 5. Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful and harmful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and is associated with prejudices around belonging, identity and equality in wider society. Examples may include children who have physical and / or learning differences, those from different ethnic, cultural and religious backgrounds, gender, home life, issues of care, parental occupation, poverty, social class, and sexual identity.

Schools, colleges and education services should promote an ethos of whole community inclusion and recognise when children are being discriminated against, for any reason, and respond quickly and consistently in dealing with such unacceptable behaviour.

## 6. Teenage relationship abuse

Teenage relationship abuse is a pattern of threatened, or actual, acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teenager presents with a pattern of violent and coercive behaviour, whether in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner. It can also be a form of child sexual exploitation.

## 7. Sexism and Misogyny

**Sexism** is prejudice or discrimination based on sex or gender. Although sexism can affect anyone, we mainly associate sexism with discrimination of women and girls as they are more often the target. A belief exists that one group is superior or inferior to the other and involves attitudes, including ideas, theories, and beliefs that hold one group as superior, consequently justifying oppressing the other group based on their gender. For example, some people hold the view that women are inferior to men and there are often stereotypical ideas around roles.

**Sexism** may be part of organisational culture and practice where oppression is observed and accepted. The resultant discrimination and oppression can be conscious and hostile. On the other hand, sexism may be a result of implicit biases, whereby underlying, or

unconscious, attitudes and stereotypical beliefs are attributed to another person or group of people. Whether conscious or unconscious, all staff have a responsibility to address sexist attitudes or behaviour from either adults or children in schools, colleges or education services.

**Misogyny** is the hatred of, disdain for, or prejudice against women or girls. It can manifest in various ways, including patriarchy, hostility, belittling of women, violence against women, social exclusion, discrimination, and sexual objectification. Misogynists have a blatant disregard for women. When compared to sexism, misogyny is more intense and blatant. For example, a sexist person may oppose women receiving a lesser salary than men (in the same position). However, misogynists will believe that women are inferior to men and don't deserve equal pay. Therefore, misogyny is more intense and deliberate than sexism.

**Online exploitation** is the act of a sexually exploitative nature carried out against a child that has, at some stage, had a connection to the online environment. It includes any use of IT that results in sexual exploitation or causes a child to be sexually exploited, or that results in or causes images or other material documenting such sexual exploitation to be produced, bought, sold, possessed, distributed, or transmitted.

**Child online sexual extortion and coercion – sexual extortion**, also referred to as sextortion, is the blackmailing of a child with the help of self-generated images of that child in order to extort sexual favours, money, or other benefits from her/him under the threat of sharing the material beyond the consent of the depicted person (e.g. posting images on social media); this is seen as increasing form of abuse among teenagers.

## 8. Expected Action for Schools, Colleges and Education Services

**All staff that suspect or witness abuse should inform the Designated Safeguarding Lead immediately before taking any further actions.**

The DSL will assess all incidents between children and consider:

- The chronological and developmental ages of those involved
- Potential difference in their power or control in relation to age, race, gender, physical, emotional or intellectual vulnerability
- All alleged physical and verbal aspects of the behaviour/incident
- Whether the behaviour involved inappropriate sexual knowledge or motivation
- The degree of physical aggression, intimidation, threatening behaviour or bribery
- The effect on the victim, for example, were there any attempts to ensure the behaviour and incident was kept secret
- The child or young person's motivation or reason for the behaviour, if they admit that it occurred.

- The DSL will consider and identify whether it is a one-off incident, or a pattern of escalating behaviour.
- It is necessary to gather the information as soon as possible to get the true facts.
- The DSL should consult the decision-maker within the multi-agency safeguarding hub (MASH) with consideration for a referral to the Children and Families Hub.

It is important to deal with a situation of child-on-child abuse immediately and sensitively. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents. Avoid language that may create a 'blame' culture and leave a child labelled. Staff should talk to the children in a calm and consistent manner. Staff will not be prejudiced, judgmental, dismissive or irresponsible in dealing with such sensitive matters.

### **Actions following gathering of information:**

Record all incidents and all action taken

- Be clear, explicit and non-avoidant, and avoid vague statements or euphemisms.
- Record disclosures along with names of witnesses if there are any immediately.
- Use proper names for body parts but record exactly any language or vocabulary used by the child.
- Use the child's exact words in quotation marks.
- Note where and when the incident happened and names of any witnesses.
- Gather the facts; speak to all the young people involved separately to gain a statement of facts.
- Use consistent language and open questions; For example, what happened, did anyone see the incident, what was seen, what was heard, did anyone Intervene?
- Do not interrogate or ask leading questions.
- Has this been a deliberate or contrived situation for a young person to be able to harm another?
- Consider intent.

Colleagues from the MASH and the police may decide to investigate further and wish to interview children in a school, college or education service or they may ask for parents to come in to be spoken to.

It is important to be prepared for every situation and the potential time it may take.

### **Informing parents/carers**

In sensitive and challenging circumstances best practice would suggest that parents/carers are informed personally on a face-to-face basis. Although this may be time consuming, the nature of the incident and the type of harm/abuse a child may be suffering can cause fear and anxiety for parents/carers, whether their child is the victim or the child who harmed another.

## 9. Points to consider

- a. What is the age of the children involved? How old are the young people involved in the incident and are there any age difference between those involved? In relation to sexual exploration, children under the age of 5, in particular 1-4-year old who are learning toileting skills may show a particular interest in exploration at around this stage. This however should not be overlooked.
- b. Where did the incident or incidents take place? Was the incident in an open, visible place to others? If so, was it observed? If not, is more supervision required within this area?
- c. What was the explanation by all children involved of what occurred? Can each of the children give the same explanation of the incident and what is the effect on the children involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Are there different child accounts, and if so, why?
- d. What is the understanding of what occurred from each child? Do the children know/understand what they are doing? For example, do they have knowledge of body parts, of privacy, dignity and parts of the body that are private? Is the child's explanation in relation to something they may have heard or been learning about that has prompted the behaviour? Is the behaviour deliberate and contrived? Does the child understand the impact of their behaviour on the other person?
- e. Repetition - has the behaviour happened before, or been repeated to an individual on more than one occasion? Has the behaviour persisted despite previous incidents when concerns have already been addressed and appropriately resolved?

## 10. Next steps

Once the outcome of the incident has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required.

For the child who has been harmed It may be that the child wishes to access counselling or one-to-one support to feel safe. Equally, they may decide counselling is not right for them (at that time) and choose the support of family and friends. However, the child may need to be monitored and be offered support in their school, college or education service and should they request counselling in the future, they can facilitate this.

If concerns are of a bullying nature, the child may need support in improving peer groups and relationships with other children. If restorative justice work can be provided this may support all those involved and help to alleviate future difficulties. Other interventions may target a whole class or year group work in line with the school PSHE schemes of work.

Partner agency specialists may be invited to schools to support PSHE work and speak on particular subjects. For example, School Nurses may deliver sessions around puberty - growing and changing, Jersey Youth Service on healthy relationships and risk-taking behaviour and the services they offer children and young people, or the police to explain the concept of consent and the law. If the child feels particularly vulnerable a risk assessment can be put in place for them during school time so they know the named adult, they can go to for support and coping strategies. School, college or the education service may identify other specialist services that can support a child in managing potential future issues and offer additional support.

For the young person who has displayed harmful behaviour It is important to explore what caused the child to behave as they did. It may be that the child is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support through counselling may be helpful or necessary. Specific support through an Early Help referral should be considered as the child and family may require additional support. Once support has been offered to meet their individual needs of the child, it is important that that they understand potential consequences for their behaviour upon another child. This may be in the form of restorative justice e.g. working with the child they have targeted if this has been some form of bullying to reach conciliation.

In cases of sexually harmful behaviour, it may be a requirement for the child to engage in one-to-one work with a service or agency; if a crime has been committed this may be through the police or probation service. However, if there is any form of criminal investigation ongoing it may be that the child cannot be educated on site until the investigation has concluded. In this case, the child will need to be provided with appropriate support and education elsewhere. If it is thought that the behaviour the child has displayed may continue to pose a risk to others, an individual risk assessment will be required. A multi-agency approach should be applied to ensure that the needs of the child and risks towards others are considered by all those agencies involved and should include the child (if age appropriate) and their parents/carers.

Additional supervision of the child and protective strategies should be part of a risk assessment and action plan if it is thought the child poses further potential risk of engaging in inappropriate or harmful behaviour. It is important that following an incident the child involved in the harmful behaviour continues to feel supported and receives help even if they have stated that they are managing well. Sometimes feelings of remorse, regret, guilt or unhappiness can occur at a much later stage. It is important to ensure that the child does not engage in any further harmful behaviour either towards another child/ren or to themselves, for example, self-harm. For this reason, regular reviews with the young people following the incident(s) are crucial.

## 11. Preventative Strategies

Child-on-child abuse can and will occur on any site even with the most robust policies and support processes. Therefore, it is important that schools, colleges and education services have appropriate strategies to proactively prevent child-on-child abuse. They should promote a culture of inclusivity, where all staff are mindful of their own attitudes, and aware of CYPES expected code of conduct when working (or volunteering) with children.

Schools, colleges and education services should be an open environment where children feel safe to share information about anything that is upsetting or worrying them. A strong PSHE curriculum tackles such issues as prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to others.

Staff should never dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. Children are part of changing their circumstances and through student school councils and pupil participation children should be encouraged to support changes and develop 'rules of acceptable behaviour'.

Children can be part of promoting the positive ethos in school - one where all children understand the boundaries of behaviour before it becomes abusive.

**Helpful links:** The UK organisation, Feminista, responds to Ofsted's review of sexual harassment in schools and supports people and organisations to take action and create change. They also provide useful information, teaching resources and training to tackle sexism in schools – see UK Feminista Resources Hub for teachers.

**Other useful links:** Tackling sexism in schools: Online Teacher Training DfE Guidance: Sexual violence and sexual harassment between children in schools and colleges, May 2018

DfE Sexual violence and sexual harassment between children in schools and colleges (2018) UK DfE: Teaching Online Safety in Schools, June 2019  
<https://www.gov.uk/government/publications/teaching-online-safety-in-schools>

 DfE: Relationship Education and Relationship and Sex Education, July 2020  
<https://www.gov.uk/government/publications/relationships-education-relationships-and-sexeducation-rse-and-health-education>

## Appendix K: Substantive changes

March 2023 – September 2023 substantive changes

<b>Substantive changes from March 2023 to September 2023</b>	<b>About the guidance</b>	<b>Page number</b>
<b>Filtering and monitoring</b>	New text added to raise awareness of the existing expectation for relevant staff to understand filtering and monitoring.	Paragraph 10. Page 11
<b>Transfer of Safeguarding and child protection records</b>	Previously stated transfers must happen as soon as possible. Now states, 'within 5 days for an in-year transfer or within the first 5 days of the start of a new term.' The aim is to allow the new school or college to have as much support as possible in place for when the child arrives.	Appendix D: Page 59
<b>Training related to Filtering and Monitoring</b>	New text added to make clear staff training should include understanding roles and responsibilities in relation to filtering and monitoring.	Paragraph 112. Page 30
<b>Safer Recruitment: Online searches for shortlisted candidates</b>	Clarification that it is good practice for schools to inform shortlisted candidates that online searches will be carried out.	Paragraph 130. Page 32
<b>Organisations or individuals using school premises</b>	New relating to procedures for managing allegation when other organisations are using the school premises for activities involving children.	Paragraph 207. Page 41
<b>Cyber Security</b>	Reference to cyber security standards.	Appendix E: Page 62
<b>Missing from education vs. Absent from education</b>	Clarification provided on the difference between children missing education and children absent from education. Recognition one may lead to another.	Appendix F: Page 63

## Previous changes: May 2021 - February 2023 – substantive changes

Table of substantive changes from May 2021 to February 2023	About the guidance	Page number
About this guidance Who is the guidance for?	Includes independent education providers.  Reiterates college includes any post 16 Education, including apprenticeships, skills, any specialist post 16 training and independent training providers.	6
Part one	The term trustees and ‘committee members’ has been added to part one	6
Advice on sexual violence and sexual harassment	The UK DfE’s advice on sexual violence and sexual harassment between children in schools and colleges (DfE, 2021) has been merged into Keeping children safe in education 2022.  As part of this merger, the term “child-on-child abuse” rather than “peer-on-peer abuse” is used throughout the updated guidance	10
Part two	Emphasis has been placed on trustees and committees to complete safeguarding training at induction and regular intervals.  Training should provide them with the knowledge to ensure their school’s safeguarding policies and procedures are effective	18
Appendix J	The term ‘peer on peer’ has been replaced with the term child on child abuse and includes sexual violence and sexual harassment between children.  This section includes other forms of child-on-child abuse, for example, prejudiced behaviour, online coercion, exploitation and ‘hazing rituals.	10  76  Appendix J
Harmful online challenges	Added paragraph to reinforce the importance of schools and colleges speaking with parents and carers about children’s access to online sites when away from school or college.	22
Virtual Headteacher	Added further information on the role of the Virtual School Headteacher	36

Online access	Added paragraph to reinforce the importance of schools and colleges speaking with parents and carers about children's access to online websites	40
Safer Recruitment	Section includes responsibility for all headteachers and managers to maintain a single central record to evidence all the checks that have been completed for individuals.	40
Reference Checks	School to ensure due diligence in checking references and DSB checks.	40/41
Contractors on site	Emphasis on contractors visiting nurseries, schools, colleges, and education settings, must be supervised at all times so as not to come into contact with children.  Ideally, works should be arranged to be completed out of school hours – for example school holiday periods.	41
Low Level Concerns	Added information about low level concerns	43
LGBTQ+ pupils	Extends information about schools and colleges to support children and young people who may be LGBTQ+ have a trusted adult who they can be open with.	48
Safeguarding filtering and Monitoring	Additional paragraph regarding monitoring and filter systems, and includes Governors and proprietor's responsibilities.	66