



## **SAFEGUARDING POLICY**

**Including Child Protection**

**Fresh Start Direct Limited**  
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## **SAFEGUARDING POLICY STATEMENT**

Fresh Start Direct Ltd work online with children and young people.

Our work is one to one, face to face online tutoring service, tailored to the unique needs of children and young adults in the comfort of their own home.

We believe that all service users have the right to be engaged and participate in learning in a safe and secure environment. We are committed to providing the safest possible environment for the individuals who access our service. We take all reasonable steps to protect service users from harm, whilst respecting their rights, wishes and feelings.

Fresh Start Direct Ltd is committed to meeting its responsibilities and upholding legislative requirements regarding the safeguarding of children, young people and vulnerable adults.

This policy outlines what staff should be aware of, and what to do, should a child, young person or vulnerable adult consciously or subconsciously disclose something that may indicate abuse of some kind.

This policy is reviewed in line with:

- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education (2019)
- Prevent Strategy (2011)
- Multi-agency statutory guidance on Female Genital Mutilation (2016)
- Child Sexual Exploitation; definition and guide for Practitioners (2017)

For each Local Authority that refers a student to Fresh Start in Direct Ltd, we are committed to upholding their particular Local Safeguarding Children Boards procedures.

This policy is reviewed annually or more frequently if there are relevant changes in legislation in the interim period.

All Fresh Start Direct Ltd staff are required to read this policy.

To be agreed and adopted by the Managing Director.

Name: Antony Meade

Position: Managing Director

Signature:



Date: 04.10.19

## DEFINITIONS

The following definitions will be used throughout the policy:

- Fresh Start Direct Ltd will be referred to as 'the Company'
- Online Platform refers to our 1:1 live video and whiteboard web-based software
- The term 'e-Tutor' refers to any member of staff responsible for conducting lessons online
- The term 'staff' will be used to cover all Company employees, contractors and workers
- The term 'student' will be used to cover any learner placed with the Company
- The term 'block of lessons' refers to 12 consecutive lessons of the same subject
- The term 'Client' refers to any person or body who commissions the services of the Company to work with a student
- ProNet is the name of the Company's Online Management System.

## 1. INTRODUCTION

### **IT IS REQUIRED THAT ALL STAFF READ THIS**

The Company takes Child Protection very seriously. Only about 5% of child protection concerns get reported and of these, only 5% result in a conviction, this is often due to contamination of evidence through poor handling of the initial disclosure. This gives you some idea of how acute the problem is and how important it is to be sensibly vigilant, and to involve suitably qualified and experienced professionals at the earliest opportunity. See **Appendix 2 for a summary of our Safeguarding Response.**

Students referred to the Company may belong to one of the vulnerable groups listed in **Appendix 4**. Some of our students are Children In Care (CIC), or maybe referred to as a Looked After Child (LAC). These students are in care either because of a Court Order or they have been accommodated by the Local Authority for a short term. The reasons for them being taken into care are varied, but it is often because they are at risk in some way in their home situation, either, as a result of family problems or circumstances, or anti-social behaviour. Other students that we work with may be, or have been, at risk of exploitation by their peers or adults.

The Company's role is to keep all students safe and to report anything we may observe that gives us cause for concern, which a student may have suffered, or be suffering, due to inappropriate treatment or care.

This Safeguarding Policy outlines what staff should be aware of, and what to do, should a student consciously or sub consciously disclose something that may indicate abuse of some kind. Due to the typical background of the vulnerable students we work with, it is not unusual to observe some of the symptoms of abuse. However, don't automatically assume that:

- Symptoms of abuse have been observed by others
- Because the student tells you something about their past, that others will already be aware of it. You may be the only adult they have ever trusted enough to tell
- What they share is history.

**In fact – DON'T ASSUME ANYTHING** and never agree to keep secrets. However unbelievable or disgusting a student's words or actions, staff must be prepared to accept the unacceptable and

accurately record and pass on the details to the Company Designated Safeguarding Lead (DSL) on 0203 747 6417. This must be done as soon as it is practical to do so, **but always within a maximum of 24 hours**. Never discuss what a student has disclosed with anyone outside the Company.

Safeguarding underpins all that we do and all other policies that we hold. The safety of students is paramount. Please also read the following policies and guidelines:

- **Equality & Diversity** Policy
- **Prevent Duty** Guidelines
- **Health and Safety** Policy
- **Bullying & Harassment** Policy
- **e-Safety** Policy
- **Public Interest & Disclosure (Whistleblowing)** Policy
- **Local Safeguarding Children's** Guidelines
- **Keeping Children Safe in Education 2019**

The Company holds many policies and procedures which are drawn from hard won experience. Do read them all – they will help you do your job well and safely.

Staff, Clients and parents/carers share a common responsibility to keep students safe. This is emphasised in the Children Act 1989 and 2004, which highlights the welfare of the student as paramount – please see **Appendix 5** for a list of relevant legislation. The Company has responsibilities in the area of child protection which may make a vital contribution to the whole process.

The Company takes Safeguarding very seriously. The DSL can be contacted on 0203 762 2366. Any member of staff or parents/carers can contact the DSL if there is concern about a student. Both our DSL and Deputy Designated Safeguarding Lead (DDSL) are trained and qualified in Safeguarding to Level 3 - including multi-agency working.

The Company acknowledges that children and young people with Special Educational Needs (SEN) and Disabilities can face additional safeguarding challenges. This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. These can include:

- Assumptions that indicators of possible abuse such as behaviours, mood and injury relate to the child's disability without further exploration
- The potential for children with SEN and disability being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers.

Through education, students are helped to understand the dangers of abuse, how they can help themselves be protected and who can be trusted. Opportunity is given for students to discuss and voice their feelings, and to understand that it is all right to say 'no' in certain situations.

## **2. OUR AIMS**

The Company aims to provide:

- An atmosphere in which students feel safe, secure, valued and respected
- An environment where students can feel confident to talk openly and be sure of being listened to

- An education that promotes self-esteem and give students the knowledge and skills to make positive choices
- Protection of students from harm as an active partner in multi-agency work
- Support for students, parents/carers and staff in difficult situations relating to a child.

### 3. CODE OF PRACTICE

All staff should take precautions not to place themselves in a vulnerable position in relation to child protection.

All staff (both teaching and non-teaching) are required to complete and submit a Disclosure Form for the Disclosure and Barring Service (DBS) prior to start working for the Company. It is necessary that staff subscribe to the DBS Update Service in order to grant portability to the Company to annually check their DBS.

### 4. WHAT IS CHILD PROTECTION?

The Government defines **child protection** as *'a part of Safeguarding and promoting welfare'*. This refers to the activity which is undertaken to protect specific children who are suffering or are at risk of suffering harm or significant harm.

Abuse and neglect are forms of maltreatment<sup>1</sup> of a child. Somebody may abuse or neglect a child by inflicting harm<sup>2</sup> or of failing to act to prevent harm. Children and young people may be abused in a family situation or in an institutional or community setting by those known to them or, more rarely, by others, for example, via the internet. They may be abused by an adult or adults, or another child or children.

In order to recognise abuse, you need to be open to the fact that it does happen. This means being aware that abuse can affect students of all ages, of both sexes, different races, cultures and that it can occur in all social classes, and is perpetrated by men, women and other children.

The National Society for the Prevention of Cruelty to Children, defines child abuse as:

***“Any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm”.***

<sup>1</sup>**Maltreatment:** *Cruel or violent treatment of a person or animal*

<sup>2</sup>**Harm:** *Physical, emotional, cognitive or social injury or damage*

#### 4.1. Categories of Child Abuse

There are many aspects to child abuse and they are not easy to identify. However, four main areas which can be identified are (see **Glossary of Terms** and **Working Together to Safeguard Children: March 2018**):

- **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 because 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)
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

- **Physical Abuse:** 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, as in the case of Munchausen's syndrome by proxy.
- **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 or not 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 non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

- **Emotional abuse:** The persistent emotional maltreatment of a child, resulting in severe and persistent adverse effects on the child's emotional development. These could:
  - Involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
  - Include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
  - 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 participating in normal social interaction
  - Involve seeing or hearing the ill-treatment of another, involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

If a student has suffered or is likely to suffer in any of these areas, a Child Protection Conference may be called and the student may be made subject to a Child Protection Plan (CPP). Once a student is made subject to a CPP, all agencies involved in the student's welfare work collaboratively to reduce the risks posed to this young person. The CPP is first reviewed within 3 months and then every 6 months thereafter.

Complex forms of abuse can often be difficult to identify and may even fall into more than one category. Some examples are:

- **Fabricated / Induced Illness (FFI):** This form of abuse occurs when a child is presented for medical attention with signs or symptoms which have been fabricated or induced by the child's parents/carers.

- **Harmful practices related to culture and faith-based beliefs:** Not all practices related to culture, faith and beliefs are harmful, but there are some that are unsafe and also illegal in the UK. These include, branding a child as a witch, breast ironing, child trafficking, cupping therapy, female genital mutilation, forced marriage, honour-based violence, harsh forms of physical chastisements, scaring initiations and certain healing practices and initiations.
- **Child Trafficking:** The recruitment and movement of children for the purpose of exploitation. This can be for sexual exploitation, forced labour, domestic servitude, criminal activity, for example; Benefits fraud, forced marriage or the removal of organs.
- **Child Sexual Exploitation (CSE):** Sexual exploitation of children and young people under 18 is a form of child abuse and occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person into sexual activity. This is usually in exchange for something the victim needs or wants; for example, food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money in return for them performing or have others perform sexual activities with them.

CSE can happen through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet and Sexting via mobile devices without immediate payment or gain. In all cases, those exploiting the child or young person have power over them by virtue of their age, gender, intellect, physical strength and, or economic or other resources. Violence, coercion and intimidation are commonly involved in exploitative relationships, being characterised in the main by the child or young person's limited availability of choice, because of their social, economic and or emotional vulnerability (DCSF 2009). The victim may have been sexually exploited even if the sexual activity appears consensual. Please refer to **Appendix 7** for additional guidance on CSE.

- **Grooming:** Where someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse or exploitation. Children and young people may be groomed online or in the real world, by a stranger or by someone they know; for example, a family member, family friend or a member of the community; for example, a teacher, religious leader or optician.
- **Online abuse:** Any type of abuse that happens on the web, whether through social networks, playing online games or using mobile devices.
- **Female Genital Mutilation (FGM):** Also known as female circumcision, is defined by World Health Organisation as a range of procedures that involve "the partial or total removal of the external genitalia or injury to the female genital organs whether for cultural or any other non-therapeutic reasons". According to 2007 Prevalence Study by FORWARD UK, it is estimated that 140 million girls worldwide have been affected and 24,000 girls in the UK are at risk annually. FGM is child abuse and illegal in the UK. The procedure is usually carried out on young girls at some time between infancy and the age of 15, however most likely between 6 - 8 years of age. Please see **Appendix 3** for guidance on how to respond if you are concerned a child is at risk of, or has already undergone, FGM.
- **Radicalisation:** Where a person is encouraged to become an advocate of a radical political or religious movement which supports terrorism and or violent extremism. Children may be exposed to messages about terrorism and or extremism through a family member or friend, a religious school or group, or through social media and the internet. This creates risk of a child or young

person being drawn into criminal activity and exposure to significant harm. Staff need to be vigilant for students exhibiting signs of extremism as there are dangers of exploitation and grooming of children by extremist groups. The Prevent Duty document issued by the Department for Education (DfE) in June 2015 offers advice to professionals in education. Training on how to detect and prevent radicalisation was made mandatory from September 2015.

Please refer to the **Prevent Duty** Guidelines and the Company training documents (Policy and Procedures) and follow the **Safeguarding** procedures if you have any concerns about a child.

- **Forced Marriage:** Where someone is made to marry another person, to whom they do not wish to be married. Forced marriages can happen in secret and be planned by parents, other family members or religious leaders. It may involve physical, sexual and, or emotional abuse.
- **Domestic Violence:** “Is the abuse of one partner by another within an intimate or family relationship. It is the repeated, random and habitual use of intimidation to control a partner,” according to domestic violence charity “Refuge”.

Refuge says: “*The abuse can be physical, emotional, psychological, financial or sexual. If you are forced to alter your behaviour because you are frightened of your partner’s reaction, you are being abused.*”

In households where there is domestic violence, children can suffer serious long-term emotional effects. Even if they are not physically harmed, children may suffer lasting emotional and psychological damage as a result of witnessing the violence.

Children can witness domestic violence in a variety of ways; for example, they may be in the same room and get caught in the middle of an incident risking getting hurt, perhaps in an effort to make the violence stop. Children may be in another room, but can hear the abuse or see physical injuries following an incident of violence, or children may be forced to take part in verbally abusing the victim. All children witnessing domestic violence are being emotionally abused.

Children will react in different ways to being brought up in a home where there is violence. Age, race, sex, culture, stage of development and individual personality will all have an effect on a child's responses. Most children, however, will be affected in some way by tension or by witnessing arguments, distressing behaviour or assaults - even if they do not always present with changes in behaviour. They may feel they are to blame, feel angry, guilty, insecure, alone, frightened, powerless and or confused. They may have ambivalent feelings, towards both the abuser and towards the non-abusing parent. Children may be affected physically or mentally as a result of witnessing domestic abuse.

Violence can interfere with a child's life in other ways. They may feel unable to invite friends to their home (or may be prevented from doing so) out of shame, fear, or concern about what their friends may see. They may feel guilty and think the violence is their fault, or that they ought to be able to stop it in some way.

There can be an impact on school attendance and achievement. Some children will stay at home in an attempt to protect their parent, or because they are frightened what may happen if they leave the family home. Worry, disturbed sleep and lack of concentration can all affect schoolwork.

- **Sexual Violence and Sexual Harassment between children:** Some students may have been, or are at risk of becoming victims, or perpetrators of sexual violence or sexual harassment. This is not limited to the school or college environment and any disclosure, or suspicion that a student may be a victim or perpetrator must be discussed with the DSL without delay so that appropriate action may be taken.

Some of the students that the Company works with will almost certainly have suffered or be suffering some form of abuse. Please see **Appendix 4** for a list of Vulnerable Groups. If a student has been abused in the past, it doesn't mean that the abuse is not still going on, or that they have come to terms with it.

## 5. IDENTIFYING ABUSE AND, OR NEGLECT

Listed below are some of the signs and types of behaviour which may indicate a student is being, or has been abused, or neglected. In themselves, these signs are not evidence of maltreatment, but may suggest abuse, particularly if a student exhibits several of them, or if a pattern emerges of exhibiting such signs or behaviour. There may be a pattern of minor injuries over time or, inadequate, muddled and inconsistent explanations, which alert you to the possibility of abuse. Be aware, that even for 'experts' abuse is not easy to diagnose. Sharing your concerns with the DSL is vital and the most important first step to take.

The signs and symptoms *may* include:

- Repeated minor physical injuries, for example bruising, cuts
- Dirty, smelly, poorly clothed or appearing underfed
- Lingering illnesses which are not attended to
- Deterioration in school work or significant changes in behaviour without explanation
- Aggressive behaviour and or severe tantrums
- An air of 'detachment' or 'don't care' attitude
- Overly complaint behaviour, 'watchful' attitude
- Sexually explicit behaviour, for example, playing games and showing awareness, which is inappropriate for the student's age
- Aggressive and age inappropriate sex play
- Reluctant to go home or, kept away from school by parents/carers for no apparent reason
- Does not join in social activities, has few friends
- Tummy pains with no medical reason that you know of
- Eating problems, including over-eating, loss of appetite
- Reported disturbed sleep, nightmares, bedwetting, constantly tired
- Running away
- Evidence or observation of self-inflicted wounds
- Reverting to younger behaviour, depression, withdrawal
- Relationships between the student and adults which are secretive and exclude others.

Whilst you may not be aware of some of these signs and symptoms directly whilst working with a student, clues or statements may be given by the student that relate to one of more of these.

Many forms of abuse, such as emotional and sexual abuse, may not show physical signs at all. Staff should look for a pattern of signs and symptoms rather than isolated instances, although some signs on their own can be significant.

## **6. RESPONDING TO A DISCLOSURE OR NOTABLE EVENT**

### **6.1. Responding to the student**

Students may express concerns in a variety of ways. When a student first reveals something concerning, which may be considered abuse, the staff member should:

1. Listen and watch carefully to what the student says or does and make notes of their exact words, actions and expressions, immediately after the lesson
2. Reassure the student that they are not to blame and were right to tell you
3. Acknowledge the student's feelings, as they have stated them
4. Ask questions to help them give more details if they wish, but do not ask leading questions; for example, "Would anyone else understand how you feel?" rather than "Do they do this to your sister or brother?"
5. Obtaining more information from students with limited verbal abilities may require enabling communication through symbols and observing their behaviour for signs of distress or abnormal passivity
6. Bear in mind that the student may love the abuser but hate the abuse. Staff should therefore, suggest the abuser "is wrong", and not "bad"
7. Reassure the student that there are professionals who will ensure that they are protected
8. Let the student know that you have to tell someone else so that they will not be hurt anymore
9. Make a full written record, using your notes, as soon as possible after talking to the student
10. Draw a diagram to show the location and size of any marks on the student's body stating the date when seen. Please note: staff are **not** to ask to see intimate areas
11. After reporting the disclosure, if you have further contact with the student it is important that you check the status of the case with the DSL first of all.

It is important that the student's feelings are taken into account, as this will be a traumatic time for them, and many other professionals may become involved.

### **6.2. Reporting Procedures**

Staff should be aware when a student is subject to a Child Protection Plan (CPP) or Child in Need Plan (CIN). It will be stated when the student is referred to the responsible member of staff working with a student or service user if they are a CIC / LAC.

If a member of staff suspects, has evidence of, or has witnessed a disclosure of abuse or neglect, the following steps should be taken:

1. The staff member must telephone their e-Education Coordinator (EC) to inform them of the injury or concern immediately after the lesson. This should be followed up by completing a Child Protection Reporting Form (please see **Appendix 6**) which should then be uploaded to ProNET and the DSL informed. The EC will identify the Safeguarding concern on ProNET. The injury or concern and the student's explanation (or lack of it) should be recorded on the form and indicated on the body silhouette, dated and signed by the staff member writing the report. The DSL may need to talk to the member of staff to seek clarification
2. The DSL will, either contact early Help or action a Referral to Children's Social Services on the same day, communicating the concerns. They will decide what course of action should be taken and by whom
3. The Client, or their DSL where the Client is a Local Authority or a school, will be informed and involved and in discussions on any action taken, where appropriate

4. If a referral to Social Services is deemed appropriate, either the DSL or the Client will telephone Social Services and the following information will be reported:
  - Cause for concern
  - The facts of the case
  - Past concerns or any other notable events.

The Duty Social Worker will decide on the most appropriate course of action and will direct what should happen next, and who should be informed by whom. **Unless specifically directed to do so, no contact should be made with parents/carers except by the DSL as directed by the relevant authorities. This includes where the parent/carer is the Client.**

5. The DSL may provide additional information in writing to Social Services if requested
6. When a student has an allocated social worker, all concerns **must** be shared directly with the social worker, keeping the Client informed.

All information is confidential and securely kept in accordance with the Data Protection Act 2018. See **Appendix 2** for a summary of our **Safeguarding Process Response**.

### **6.3. Responding to Parents/Carers**

In striking a balance between respecting parents/carers feelings and ensuring children are protected, childcare legislation stresses that the welfare of a child is paramount. Therefore, parents/carers may need to take 'second place' in order to protect a child who may be at risk of, or suffering abuse. Staff need to keep in mind:

1. The importance of not making assumptions
2. The error of believing that parents/carers "are not the sort of people who would do that"
3. The importance of gathering all related information
4. That the investigation is not a criminal enquiry, but an attempt to find out what has happened
5. That parents/carers should **NEVER** be contacted, nor concerns shared with them at any point. ALWAYS refer your concerns to the DSL.

Please refer to **Appendix 1** for more information on how to report any Safeguarding concerns.

## **7. MONITORING STUDENTS**

Where students are suspected of having been abused, the following are routine actions, which are useful for monitoring and reporting:

### **7.1 Online Lesson Attendance**

Details of dates and times are extremely important. Patterns of attendance can be very revealing, for example, absences on a particular day, which coincide with the presence, or absence of particular parents/carers. Students may exhibit one mood when staying with one adult and appear completely different when staying with another. Students may indicate changes of mood during the lesson, perhaps by becoming quiet and tense towards the end of the lesson. If a student is absent from lessons and a pattern begins to emerge, note who calls, emails or writes the letters explaining the student's absence; does this also follow some pattern?

## **7.2. Students' body language/behaviour**

Body language can be extremely revealing and important, particularly with younger students. As well as showing changes in body language towards the end of the lesson, for example, a student may also show changes in body language/behaviour on days which may well coincide with access visits, staying with relatives, baby-sitters in the home, etc.

If a student is showing marked signs of distress, staff should note and report these changes, and any contemporaneous events in the life of a student.

Any sexualised behaviour or speech that is inappropriate to the student's age is significant and should be noted carefully and reported.

Students may appear uncomfortable sitting at a PC for more than a short time. Whilst this may be for recognised medical or mental health reasons, it should still be reported.

## **7.3 Students' Language**

Young children often do not have the language for body parts and sexual behaviour. They are, therefore, unlikely to verbalise what is happening to them in a clear way. They will often speak in analogous terms of snakes that spit at them, tickling they don't (do) like, monsters that gobble them, etc. Students who appear to make such veiled references need a careful, non-judgemental listener who explores what they have to say with them; for example, who else plays with the snakes, where is mummy when you play with the snake, where is daddy when you play with the snake, draw me a picture of the snake, where does the snake go when you are not playing with it, etc. You should ask these questions for clarity only! Don't cross-examine or suggest answers. You could easily contaminate the student's disclosure.

Be aware that students from different cultural backgrounds may communicate their distress in different ways.

It is very important when recording what students have said to put the exact words that they have used. Monitoring notes should also include the details and sequence of the adult's questions.

## **7.4 Students' Drawings/Writing**

Drawings can often reveal a great deal of emotional content, which a student would find very difficult to articulate. A student's drawing may be a useful index of their feelings and fears. Whilst no drawing or type of drawing in isolation can be said to reveal abuse, when taken in context with other observations it may be indicative of some underlying concern.

Students who draw people with genitalia should be considered to be giving some clear indication for concern. Other kinds of drawings which may need some consideration are; for example, where students draw:

1. Themselves with no mouth, eyes, lips - they may be hinting at their sense of powerlessness to speak, see or get away from a situation
2. Themselves in pictures where they are calling for help or being rescued
3. Their families and always draw a particular person in the family different from the other people; for example, the father with no body, the father with a box round his head, a brother caged in, etc.

## 7.5 Medicals

Students who have been or are being abused may make veiled references to their plight in the guise of psychosomatic complaints. A report should be made of the frequency of complaints such as headaches, tummy aches, etc., and the DSL kept informed.

Any of the points in section 7 above, if noted, must be logged by the e-Tutor using the section for Safeguarding Notes on the Daily Report. All safeguarding concerns must be passed to the DSL directly.

## 8. ROLE OF THE DESIGNATED SAFEGUARDING LEAD

The DSL is responsible for Child Protection and CIC/LAC. The DSL's duties include:

- Undertaking training in the recognition and investigation of child abuse
- Developing knowledge of the procedures involved in reporting child abuse and making this knowledge available to all staff in individual consultation and regular training
- Establishing and maintaining links with relevant Local Authority departments and officers
- Promoting integrated Safeguarding to ensure that Child Protection is integral to the Company's ethos and practice.
- Developing, maintaining and monitoring effective reporting and recording systems
- Managing the process of referring cases of abuse to Social Services in liaison with the student's Client
- Contributing to PEPs, CIN Plans and or CPPs if required by a Local Authority Client, this is not a service provided where a parent/carer is the Client
- Being a point of contact for external agencies regarding child protection issues
- Identifying the need for support that any member of staff may have, when involved in a serious abuse case and liaising with the Company's Welfare Officer on how support can be offered.

## 9. RECORDING AND MONITORING CONCERNS

Recording has special importance in child protection work and is invaluable in helping agencies to assess a case. It ensures accurate transfer of information between professionals. It may also be needed if court action is necessary. It also serves as a record that staff have acted appropriately and followed guidelines. The following **must** be recorded in the student's DAILY LOG in ProNET:

- Any concerns as they arise
- Marks on the student's body
- Inappropriate or unusual behaviour that is out of the norm
- Poor attendance
- Dirty or inappropriate clothing
- Details of conversations with parent and students
- Referral to another agency and contact with the Client.

Other records such as Child Protection Referral Forms, letters, case conference notes, which contain third party information, must be kept **confidential** and **secure**. This information is only accessible to the DSL and DDSL.

### 9.1. What constraints govern recording?

Fresh Start Direct Limited is registered under the Data Protection Act as an organisation. The Company complies with government requirements (DHSS Circular LA 83/14). These include the following stipulations (subject to the provisions of the Data Protection Act 2018):

- Files on students must be open to those with parental responsibility for the student under 12 years of age, however, a formal request will need to be made in order to see the child's file
- Third party information may not be disclosed without consent of the third party
- Access to files can be denied for certain prescribed reasons, such as in the case of actual, alleged or suspected student abuse. Please see DfE Circular 16/89 and the Education (Schools Records) Regulations 1989
- Working notes are not subject to disclosure but must be eventually summarised on file and then destroyed.

## **10. SUPPORTING AN ABUSED STUDENT**

You need to accept that students who are being, or have been abused, may express the effects of abuse through disturbed or difficult behaviour. It may be hard to relate to them; for example, they may be anxious, fearful, hostile, manipulative or destructive. Feeling sympathetic about what has happened to a student does not necessarily make it any easier to cope with their behaviour. Difficult behaviour also isolates students from others.

Some of the ways in which abuse may affect a student's behaviour are, for example, signs of being restless, preoccupied, or sexually precocious. They may bully others and animals or pets. They may find it hard to trust other people. Other effects of abuse include:

- Confusion
- Lack of self-confidence/self-esteem
- A sense of being a victim
- Feelings of being wicked, deserving to be punished
- A desire to hurt others
- Regression to babyhood
- Pent-up anger
- A tendency to under-achieve
- Difficulties with concentration.

Although the long-term effects of abuse should not be underestimated, some abused students show considerable improvement with the appropriate help.

## **11. SUPPORT TO STAFF**

The abuse of children can arouse strong emotions, even within professionals, especially if they know the child well. Such feelings are natural and often affect staff personally. Staff may also have the burden of continuing daily contact with the student. Support in the form of opportunities for staff to discuss their feelings and the effect of this work on their personal life can come from the:

- e-Education Coordinator
- Company Designated Safeguarding Lead (DSL)
- Education Services Lead

The DSL is available for all staff, Clients and parents/carers to give advice and support, as well as putting them in touch with outside agencies for professional support.

Staff should work towards an atmosphere that enables students to feel safe to talk. However, staff should **never** promise a student to keep certain information confidential. It must be explained that staff have certain duties to help keep students safe and may need the help of others to do this.

## 12. THE SAFEGUARDING REGISTER

The DSL will inform the staff with direct responsibility for a student, if their name is on the Child Protection Register. Such students should be monitored very carefully, and the smallest concern recorded on their Daily Report in ProNET and passed to the DSL.

## 13. TRAINING

All staff receive training in Safeguarding during induction. Training needs are identified at both an organisational and individual level through staff development interviews and organisational self-assessment.

## 14. ALLEGATIONS AGAINST STAFF

Should an allegation be made against a member of staff, an initial investigation will be made by the DSL in liaison with the Client or Local Authority Designated Officer (LADO) and the student's parents/carers will be informed. If the allegation is serious it will be referred to the LADO immediately.

If the allegation is made against the DSL, then a Director of the Company will make the initial investigation and inform the LADO. An independent investigator may need to be brought in, again in consultation with the LADO.

LADOs must be contacted within 24 hours in respect of all cases in which it is alleged that a person who works with children and young people has:

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

LADOs are responsible for (amongst others):

- Providing advice, information and guidance to employers and voluntary organisations around allegations and concerns regarding paid and unpaid workers
- Ensuring the child's voice is heard and that they are safeguarded
- Ensuring there is a consistent, fair and thorough process for all persons working with children against whom an allegation is made
- Monitoring the progress of cases to ensure they are dealt with as quickly as possible
- Recommending the progress of cases to ensure they are dealt with as quickly as possible
- Recommending a referral and chairing the strategy meeting in cases where the allegation requires investigation by police and or social care.

The Company will maintain fairness to all parties during the investigation and this includes providing support to the person that the allegation has been made against, and to the person who has brought the allegation, where possible.

Please see our **Comments, Complaints & Compliments** Policy for non-safeguarding causes of complaint, our **Public Interest & Disclosure (Whistleblowing)** Policy for further information, and **Appendix 2** for a summary of our **Safeguarding Process Response**.

Created: October 2018  
Review date: October 2020

APPENDIX 1

HOW TO REPORT A CONCERN / MAKE A REFERRAL



**APPENDIX 2****SAFEGUARDING RESPONSE PROCESS SUMMARY**

How Fresh Start Direct Ltd (the Company) responds to a Safeguarding incident:

1. Initial report made by staff member or parent/carer of actual or suspected safeguarding incident.
2. e-Education Coordinator (EC) reads and assesses the information, speaks with the e-Tutor for clarification if necessary, and flags the student's file with a Safeguarding Alert.
3. EC advises the Company Designated Safeguarding Lead (DSL), or a Deputy DSL (DDSL) in the DSL's absence, of the incident. DSL opens a Safeguarding File for the student.
4. EC or DSL to establish level of concern and the necessary action required. They will either make a Referral to Early Help and let the Client and, where relevant, Social Worker know, or they will action a Referral to Children's Social Services. If the student is on roll at a school, the EC or DSL may alert the school's DSL to the situation and let the Client know a Referral has been made. Where the Client is the parent/carer they should NOT be informed until the authorities say so.
5. A discussion with Social Services will take place to decide a plan of action.
6. Police/LADO informed if necessary, by party designated in discussion above (Point 5).
7. Information will be shared internally on a 'need to know' basis, involving the EC, DSL and DDSL.
8. e-Tutor's file flagged as 'Not Available' if suspension is deemed necessary, and no contact with students allowed if the incident or allegation involves the staff member's behaviour.
9. Staff supported, if required, by Line Manager, who will have minimal information on or involvement with the incident.
10. All correspondence and conversations will be recorded in the Safeguarding File. Information will be shared with LADO as necessary.
11. Relevant Company staff will attend any meetings required.
12. The Company will hold an Internal Investigation and any Safeguarding Report involving a member of the Company staff will trigger an Internal Review. This will be conducted by the Operations Director. The results of the review together with any actions arising from it, will be shared with the LADO. Disciplinary measures will be considered and enforced.
13. The Company will review and if necessary, update procedure(s) in the light of any failings or lessons learned from incidents. The Operations Director will advise any changes or updates to Policy and Procedures as a result.

14. The Company Board of Directors will be informed of any changes to procedure implemented from lessons learned.
15. The staff member's file will be updated with the findings of the review and their file flagged/or unflagged appropriately together with any restrictions/conditions that may be imposed to their continued working with the Company.
16. The Disclosure Barring Service, Prohibition from Teaching will be updated by the DSL, as appropriate, with the findings of any investigations, as necessary.

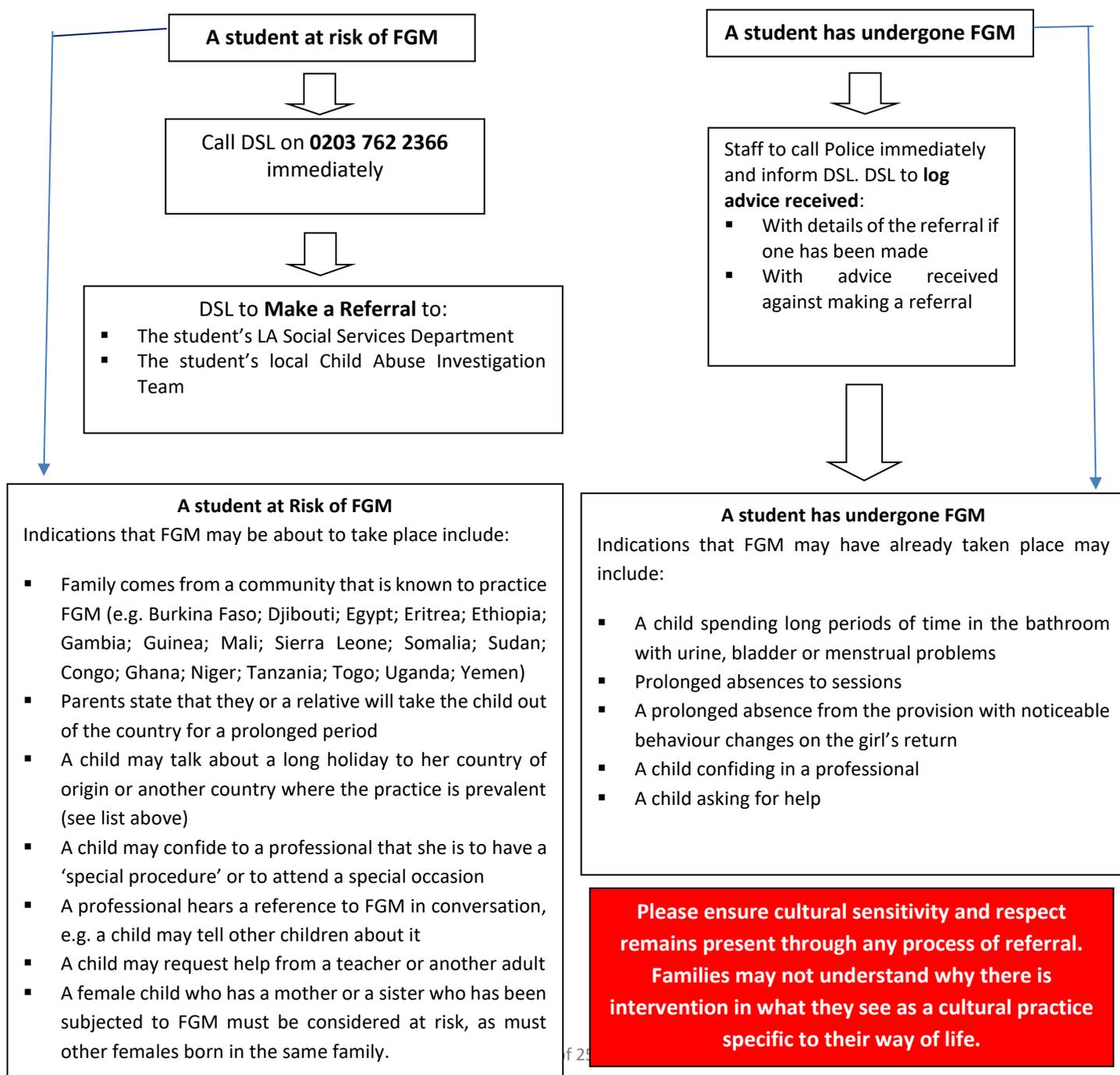
**APPENDIX 3**

**FEMALE GENITAL MUTILATION**

The FGM mandatory reporting duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires **teachers** in England and Wales to make a report to the police where, in the course of their professional duties, they either:

- Are informed by a girl under 18 that an act of FGM has been carried out on her
- Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl’s physical or mental health, or for the purposes connected with labour or birth.

For further information, please see Home Office and Department for Education 2015 publication Mandatory Reporting of Female Genital Mutilation: procedural information.



**APPENDIX 4****CHILDREN AND YOUNG PEOPLE PARTICULARLY AT RISK  
OF ABUSE AND, OR NEGLECT**

These are children and young people who:

- Are on the Child Protection Register
- Are 'looked after' (in care) or 'looked after and away from home'
- Are affected by parental substance misuse
- Are involved in substance misuse
- Are affected by domestic abuse
- May be vulnerable as a result of disability, additional support needs or mental health
- Are with parents/carers with a mental illness
- Are young carers
- Run away, go missing from home or residential foster care
- Are homeless and living in temporary accommodation or at risk of sleeping rough
- Are at risk of being exposed to prostitution or sexual exploitation of any kind
- May be vulnerable due to their sexuality
- Have violent, sexually harmful or abusive behaviour, including offending - placing them and or others in danger
- Are victims of, or witnesses to a crime
- Are in the family justice system
- Are in secure settings
- Are in the armed forces
- Are using mental health services
- Are asylum-seekers
- May be vulnerable as a result of their ethnic, cultural or minority group
- Are from certain groups or cultures, for example, gypsy communities
- Are from families where female genital mutilation is practiced
- Are from families where forced marriage is practiced.

## APPENDIX 5

### RELEVANT LEGISLATION

- Children Act 1989
- Children Act 2004
- Working Together to Safeguard Children 2018
- The Equality Act 2010
- Local Safeguarding Children's Boards & School policies
- Education and Inspections Act 2006
- Protection of Freedoms Act 2012
- Education Act 2002
- Education Act 2011
- UN Convention on the rights of the child 1989 ratified by UK in 1991
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offenders Act 2003
- Safeguarding Children and Young People from Sexual Exploitation (2009)
- Protecting children from Radicalisation (DfE 2015)
- Keeping Children Safe in Education 2019

APPENDIX 6

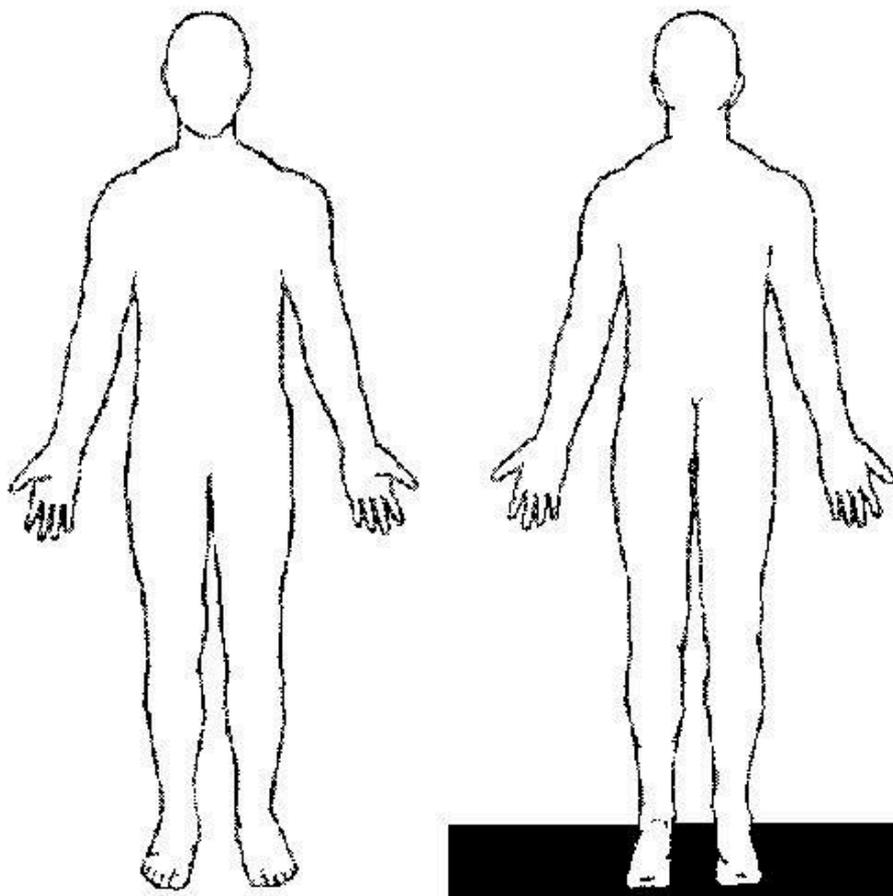
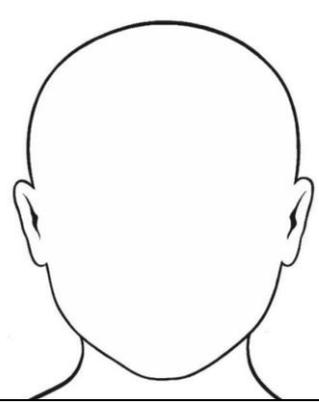
**CHILD PROTECTION REPORTING FORM**

**Part 1: Incident Details**

<b>Student's Name:</b>	<b>Date of the event:</b>
<b>Referrer's Name (your name and job title):</b>	
<p><b>Details of your concern</b>  <i>(What, where &amp; when you noticed the concern; if the student was accompanied and if so by whom; nature of the injury or behaviour; what the student said; what you said; witnesses; other adults involved and what they said)</i></p>	
<p><b>What actions were taken (to be completed by the DSL)</b>  <i>(What actions were taken and by whom; any recommendations for future action; other agencies involved)</i></p>	
<b>Date received by DSL:</b>	
<b>Referrer's Signature:</b>	<b>DSL's Signature:</b>

**CHILD PROTECTION REPORTING FORM**

**Part 2: Body and Face Map**

	
<b>Front</b>	<b>Back</b>
	
<ul style="list-style-type: none"><li>▪ Please mark on the body map the exact place of the mark/bruise</li><li>▪ Annotate with a very brief comment the facts of the bruise(s) / mark(s) (e.g. approximate length/colour)</li></ul>	
<b>Referrer's Name and Signature:</b>	

**APPENDIX 7**

**ADDITIONAL GUIDANCE ON CHILD SEXUAL EXPLOITATION**

In 2015 the Government published its *Tackling Child Sexual Exploitation Action Plan* which brings together for the first-time actions by the Government and partners to protect children from this largely hidden crime. The plan outlines a compelling case for local areas to act quickly and for parents/carers, and frontline professionals who come into contact with potential victims and perpetrators, to intervene at the earliest possible opportunity to stop the crime escalating.

The action plan is available on the Department for Education's website - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/408604/2903652\\_RotherhamResponse\\_acc2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408604/2903652_RotherhamResponse_acc2.pdf)

It identifies four key stages where better interventions are needed:

- Raising awareness of this issue with young people, parents/carers and professionals and preventing it taking place
- Taking effective inter-agency action against Child Sexual Exploitation (CSE) and helping children who are victims to get out of it
- Securing prosecutions and improving court processes, to reinforce the fact that CSE is not just a particularly vicious form of child abuse, but is a serious crime that requires serious punishment
- Helping children and families who have been caught up in CSE to get their lives back on track – which may require support and counselling over a long period of time.

The Government report notes that there are a number of myths about CSE which need to be dispelled. In particular:

<b>Myth</b>	<b>Fact</b>
CSE is something that is done to girls and young women.	There are male victims too. Research suggests that they are fewer in number but numbers may be under-reported.
CSE only happens to children who are in care, who come from a 'bad' family or are of a particular race or religion.	Any child, from anywhere, can potentially be a victim. However, it is true, that young people are more vulnerable to becoming sexually exploited as a result of long term social exclusion, poverty and deprivation.
CSE is very rare and only happens in a few places.	It is much more prevalent than most people imagine. But it may often be hidden and can only be uncovered by people being vigilant and reporting their concerns.
A lot of these children are over 16 and have consented to sex. Social workers need to concentrate on real child abuse.	The sexual exploitation of young people is just as much child abuse as is sexual abuse experienced by younger children in the home. Young people may initially agree to sex, but they cannot consent to exploitation.

Several organisations have produced checklists of ‘tell-tale signs’ that a child may be being groomed for sexual exploitation or is already being exploited. Such lists can play an important role in raising awareness. It is important to recognise that many young people will often display one or more of these behaviours without being a victim at all:

- Going missing for periods of time or regularly coming home late
- Regularly missing school or not taking part in education
- Appearing with unexplained gifts or new possessions (often new mobile phones)
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections
- Mood swings or changes in emotional wellbeing
- Drug and alcohol misuse
- Displaying inappropriate sexualised behaviour.

Victims of child sexual exploitation may face difficulties in rebuilding their lives. They may:

- Find it difficult to have healthy, lasting relationships
- Become pregnant or suffer from sexually transmitted infections, or mental health problems which may be long term
- Have been involved in crime and therefore find it hard to obtain appropriate employment
- Be drug or alcohol dependent, needing medical/therapeutic intervention
- Have gaps in their development and learning as a result of missing education or having become runaways
- Lack support networks, having no trusting adults they can turn to
- Face an increased risk of further abuse, such as domestic violence or sexual assault in adulthood resulting in re-victimisation.

The Child Exploitation and Online Protection (CEOP) Centre will continue to raise awareness of child sexual exploitation and associated issues through the **ThinkUKnow** programme - <http://www.thinkuknow.co.uk/>.

## GLOSSARY OF TERMS

### (Prevent Duty Guidance in England and Wales)

- **Extremism** is defined in the 2011 Prevent strategy as 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
- **Interventions** are projects intended to divert people who are being drawn into terrorist activity
- **Non-violent extremism** is extremism, as defined above, which is not accompanied by violence
- **Prevention** in the context of this document means reducing or eliminating the risk of individuals becoming involved in terrorism
- **Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups
- **Safeguarding** is the process of protecting vulnerable people, whether from crime, other forms of abuse or, in the context of this document, from being drawn into terrorist related activity
- **Terrorist-related offences** are those, such as murder, which are not offences in terrorist legislation, but which are judged to be committed in relation to terrorist activity
- **Vulnerability;** Within Prevent, the word describes factors and characteristics associated with being susceptible to radicalisation
- **Channel** is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. The programme uses a multi-agency approach to protect vulnerable people by:
  1. Identifying individuals at risk
  2. Assessing the nature and extent of that risk
  3. Developing the most appropriate support plan for the individuals concerned.