

INTERNATIONAL SCHOOL  
**ZURICH NORTH**

**COGNITA**

# **Safeguarding and Child Protection Policy and Procedure**

**October 2021**

### 1 Safeguarding in our school

#### 1.1 Our aims and responsibilities

Our commitment is to safeguard and promote the welfare, health (including mental health) and safety of our pupils by creating and maintaining an open, safe, caring and supportive atmosphere. This includes:

- Proactively teaching pupils about safeguarding;
- Ensuring that systems and procedures are in place to protect pupils; and
- Acting in the best interests of the child.

All staff have the following responsibilities:

- Contribute to providing a safe environment in which all children can learn and flourish;
- Know what to do if a child tells you that he or she is being abused or neglected;
- Know what to do if you are concerned about the behaviour or conduct of an adult in the school;
- Manage the requirement to maintain an appropriate level of confidentiality;
- Identify children who may benefit from early help and intervention;
- Refer any concern to the Designated Safeguarding Lead (DSL) or the Deputy DSL;
- Understand our local early help processes ; and
- -Understand the process for making a referral to Children's Social Care (KESB) and the role you might be expected to play in statutory assessments.

#### 1.2 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 health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

### In our school, safeguarding is everyone's responsibility

Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

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.

#### 1.3 Who this policy applies to

This policy and procedure applies to all pupils in the school, including those in the Early Years.

This policy and procedure applies to all teaching, non-teaching, residential, pastoral, support, peripatetic, contract staff and ancillary staff, volunteers, non-school based Cognita staff and any other adults working at the school. All references in this document to "staff" or "members of staff" should be interpreted as relating to the aforementioned, unless otherwise stated.

This also applies to adults in the Early Years phase of the school. Throughout the document, the term DSL is used for the Designated Safeguarding Lead. This Safeguarding Policy and the Code of Conduct apply to all pupils and adults in the school, including when being educated off-site and undertaking an educational visit. They also apply to students who are on an exchange and being hosted by the school.

### 1.4 Inter-agency working

The school is committed to inter-agency working in order to secure the best levels of safeguarding for all of its pupils. The school contributes to inter-agency working in accordance with statutory guidance. The school works with social care (KESB), the police, health services and other services to promote the welfare of children and protect them from harm.

### 1.5 Definitions and terminology

'Children' includes everyone under the age of 18.

'DSL' refers to the school's named Designated Safeguarding Lead

'Designated Officer' refers to the person appointed by the local authority to deal with allegations against adults

'KCSIE' refers to the statutory guidance Keeping Children Safe in Education

### 1.6 Related documentation

This policy should be read in relation to the most current version of the following documents:

National documents of the UK:

- The Education (Independent School Standards) Regulations 2014
- KCSIE (Sep 2021)
- Working Together to Safeguard Children (July 2018)
- Prevent Duty Guidance: for England and Wales (July 2015)
- Disqualification under the Childcare Act (July 2018)
- What do to if you are worried a child is being abused – Advice for practitioners (departmental advice) (March 2015)
- Early Years Foundation Stage Framework (Feb 2018)

This policy is updated annually and is published to all staff and volunteers and placed on the school website. This policy is based on KCSIE 2019 and any references to national guidance made within this document are in relation to the versions listed above. The school will always refer to the above statutory guidance as the benchmark for all safeguarding practice and decision making.

Internal documents:

- Behaviour Policy
- Digital Safety Policy Exclusion Policy
- Early Years – Use of Mobile Phones, Cameras and Devices Policy
- Preventing Extremism and Radicalisation Policy
- Safer Recruitment Policy
- Staff Code of Conduct and Acceptable Use Policy

### 1.7 Safer recruitment

Our school prioritises embedding a culture of safer recruitment as part of our strategy for preventing harm to children. Statutory procedures for checking the suitability of staff and volunteers who work with children are always followed (see Safer Recruitment Policy)

### 1.8 Policy review

The school carries out an annual review of this policy. This includes an evaluation of the extent to which these policies have been effectively implemented throughout the school. The

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school will remedy any deficiencies or weaknesses in child protection arrangements without delay and without waiting for the next policy review date, should any be necessary. Staff are invited to contribute to and shape safeguarding arrangements based on reflection and learning. Staff are invited to contribute to the review of this policy.

2 Key safeguarding facts

**The safety and wellbeing of our pupils  
is our number one priority**

*Safeguarding and promoting the welfare of children is everyone's responsibility*

*We operate within a culture of openness and recognise and accept that abuse can happen in any organisation*

*We are a 'sharing organisation'  
All concerns should be reported*

**All concerns about a child (including signs of abuse and neglect) must be reported immediately to the Designated Safeguarding Lead (DSL) or, in their absence, to the Deputy Designated Safeguarding Lead (DDSL)**

**In the event that a child is in immediate danger or at risk of harm, a referral should be made to KESB and/or the police immediately**

**An allegation about another adult in school should be referred to the Principal**

**An allegation about the Principal should be referred to the Cognita Director of Education**

**Any concern or 'nagging doubt' about an adult or child should be shared with the DSL or Principal**

**This policy must be read alongside 'Keeping Children Safe in Education' (the UK government policy document referred to previously)**

### 3 Key people and contacts

<b>School contacts</b>	
Designated Safeguarding Lead (DSL)	Dermot Kelly Dermot.kelly@iszn.ch
Deputy Designated Safeguarding Lead (Deputy DSL)	Martha Ross Martha.ross@iszn.ch
Any other staff trained to DSL level	Jonathan Taylor <a href="mailto:Jonathan.taylor@iszn.ch">Jonathan.taylor@iszn.ch</a> Kathy Dal Corso Kathy.dalcorso@iszn.ch
Wellbeing Lead	Sandra Price Sandra.price@iszn.ch
Principal/Principal	Jonathan Taylor Jonathan.taylor@iszn.ch

<b>Cognita (proprietor) contacts</b>	
Cognita Safeguarding Adviser (see note below)	Alison Barnett <a href="mailto:alison.barnett@cognita.com">alison.barnett@cognita.com</a>
Chair of Governors Governor with Responsibility for Safeguarding	Fidelma Murphy Fidelma.murphy@cognita.com
Group Director of Education	Simon Camby <a href="mailto:simon.camby@cognita.com">simon.camby@cognita.com</a>
Cognita (proprietor) board member with responsibility for safeguarding	The Cognita Board Member with responsibility for safeguarding is Chris Jansen, Chief Executive <a href="mailto:chrisj@cognita.com">chrisj@cognita.com</a>

<b>Local Authority Contacts</b>	
KESB Bülach Süd:	<b>KESB Kreis Bülach Süd</b> Schaffhauserstrasse 104 Postfach 215 8152 Glattbrugg +41448296800 <a href="mailto:kesb@kesb-kbs.ch">kesb@kesb-kbs.ch</a> Contact person: Jasmin Zmoos, Secretary. A list of all local KESBs for our students is found in the appendix.
Local Police:	Zentralstrasse 9, 8304 Wallisellen 044 832 61 50
Kantonal Police:	Neugutstrasse 16, 8304 Wallisellen 044 839 10 20
Childrens Hospital Zurich:	Steinwiesstrasse 75, 8032 Zürich 044 266 71 11 Advice phone 0900 26 67 11

<b>Useful Contacts</b>	
Pro Juventute: Support service for children, families and parents.	24/7 hotline: 147 <a href="http://www.projuventute.ch">www.projuventute.ch</a>
Information and advice for LGBTQ+.	<a href="https://du-bist-du.ch/">https://du-bist-du.ch/</a>
NSPCC FGM helpline	Email: <a href="mailto:fgmhelp@nspcc.org.uk">fgmhelp@nspcc.org.uk</a>
NSPCC Whistleblowing helpline	Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a>
DfE Prevent helpline for schools & parents	Email: <a href="mailto:counter.extremism@education.gsi.gov.uk">counter.extremism@education.gsi.gov.uk</a>
The Lucy Faithfull Foundation (LFF)	Email: <a href="mailto:help@stopitnow.org.uk">help@stopitnow.org.uk</a> <a href="http://www.parentsprotect.co.uk">www.parentsprotect.co.uk</a>
Swiss program for violence prevention, helpful for Radicalisation avoidance.	<a href="https://www.skppsc.ch/de/">https://www.skppsc.ch/de/</a>
UK Safer Internet Centre helpline for School Staff	Email: <a href="mailto:helpline@saferinternet.org.uk">helpline@saferinternet.org.uk</a>
Internet Watch Foundation hotline for reporting criminal content	<a href="http://www.iwf.org.uk">www.iwf.org.uk</a>
Educate Against Hate	<a href="http://educateagainsthate.com">http://educateagainsthate.com</a>

### 4. Types of abuse

The term 'abuse' is often used as an umbrella term. All staff should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. Abuse and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.



#### 4.1 Abuse

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. They may be abused by an adult or adults or by another child or children.

#### 4.2 Physical abuse

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.

*Signs of physical abuse can include:*

- *injuries to parts of the body where accidents are unlikely, such as thighs, back, abdomen;*
- *respiratory problems from drowning, suffocation or poisoning;*
- *untreated or inadequately treated injuries;*
- *bruising which looks like hand or finger marks or caused by an implement;*
- *cigarette burns, human bites; or*
- *scarring, scalds and burns.*

#### 4.3 Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It 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.



### 4.4 Domestic abuse

Emotional abuse often occurs when the child sees or hears domestic abuse occurring in the home. The cross-government definition of domestic violence and abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

*Signs of emotional abuse tend to be behavioural rather than physical (see below).*

### 4.5 Sexual abuse

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. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

*Signs of sexual abuse displayed by children may include:*

- *Pregnancy*
- *sexually transmitted infection/diseases;*
- *pain/itching/bleeding/bruising/discharge to the genital area/anus/mouth;*
- *urinary infections;*
- *difficulty walking or sitting or standing;*
- *persistent sore throats; or*
- *stomach ache.*

### 4.6 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, 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.

*Signs of possible neglect include:*

- *the child seems underweight or is very small for their age, or their weight deteriorates;*
- *the child seems very overweight for their age;*
- *they are poorly clothed, with inadequate protection from the weather;*
- *they are often absent from school for no apparent reason; or persistently arrive late; or*
- *they are regularly left alone, or in charge of younger brothers or sisters.*

### 4.7 Peer on peer abuse (see below)

All staff must be alert to possible indicators of safeguarding concerns which may indicate peer on peer abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment;
- sexting (also known as youth produced sexual imagery);
- initiation/hazing type violence and rituals; and
- ‘upskirting’

See separate section of this document on peer on peer abuse.

### 4.8 Honour Based Abuse (HBA) (including Female Genital Mutilation (FGM), Forced Marriage (FM) and breast flattening)

HBV includes all incidents or crimes which have been committed to protect or defend the honour of the community and/or the family, and commonly involve practices such as FGM, forced marriage and/or breast ironing. Abuse often involves a wider network of family or community pressure and therefore it is important to be aware of this dynamic and consider risk factors when deciding on action. If staff have a concern that a child may be at risk of Honour Based Violence, they should alert their DSL immediately.

FGM is abuse that encompasses all procedures involved in the partial or total removal of female external genitalia. In Switzerland, as in many other countries, there is no specific law against FGM/C. However, performing FGM/C is forbidden. It is considered a crime against bodily integrity (article 122 of the Swiss Criminal Code) [15]. (Note added in print: On December 16th, 2010, the Swiss Parliament approved the introduction in the penal law of a specific article to punish the authors of FGM/C [article 124].)

It is important to stress that in Switzerland it is not only forbidden to perform FGM/C, but also to plan it, for example in the case of immigrants living in Switzerland who plan to do it abroad during children’s holidays.

#### Forced Marriage

The Federal Act on Measures against Forced Marriages has been in force since 1 July 2013. Since the Swiss Civil Code was adapted, forced marriages are challenged ex officio. In addition, forced marriage was made a separate offence in 2013, with the possibility of up to 5 years in prison under [Art. 181a of the Civil Code](#).

Forced marriage is a violation of the right to marry, the right to decide, and often also violates a person’s physical integrity. Forced marriages have also been banned internationally because they are a human rights violation and are opposed by the United Nations, the Council of Europe, and the European Union.

FM is one entered into without the full and free consent of one or both parties and where violence, threats or any form of coercion is used to cause a person to enter into a marriage. Multi-Agency guidelines, which focus on the role of schools, can be found [here](#).

#### Breast flattening

Breast flattening, also known as breast ironing, is the pounding and massaging of a pubescent girl's breasts, using hard or heated objects, to try to make them stop developing or disappear. It is typically carried out by the girl's mother, who will say she is trying to protect the girl from sexual harassment and rape to prevent early pregnancy that would tarnish the family name, or to allow the girl to pursue education, rather than be forced into [early marriage](#).

See Annex A of KCSIE for further details.

### 4.9 Behavioural signs of abuse and neglect

If a child is being abused, their behaviour may change in a number of ways. For example, they may:

- behave aggressively or be disruptive, act out, demand attention and require more discipline than other children;
- become angry or disinterested and/or show little creativity;
- seem frightened of certain adults;
- become sad, withdrawn or depressed;
- have trouble sleeping;
- become sexually active at a young age;
- exhibit inappropriate sexual knowledge for their age or sexualised behaviour in their play with other children;
- refuse to change for gym or participate in physical activities;
- develop eating disorders;
- self-harm;
- refuse to attend school or run away from home;
- lack confidence or have low self-esteem; or
- use drugs or alcohol.

### 4.10 Emotional Wellbeing and Mental Health

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that all staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

All staff should also be aware that deteriorating emotional wellbeing and escalation of mental health problems can, in some cases, be an indicator that there is a safeguarding concern, for example, a child has suffered or is at risk of suffering abuse, neglect, bullying/cyberbullying or exploitation. Please note, however, that only appropriately trained health professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following this policy and speaking to the DSL.

The Department of Education has published advice and guidance on Preventing and Tackling Bullying, and Mental Health and Behaviour in Schools. In addition, Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among young people including its guidance, Promoting Children and Young People's Emotional Health and Wellbeing. Its resources include social media, forming positive relationships, smoking and alcohol. See Rise Above for links to all materials and lesson plans.

Whilst all children should be protected, it is important that staff recognise that some groups of children are potentially at greater risk of harm (including online harm). For example, this vulnerable group includes, but is not limited to: those children with SEND (see below), young carers, those with a parent in prison, those identifying as LGBTQ+, and those living in homes characterised by domestic abuse and/or parental acrimony

### 4.11 Children with Special Educational Needs and/or Disabilities

Children with special educational needs (SEN) and/or disabilities are statistically more vulnerable to child abuse, including peer on peer abuse. Additional barriers can exist when recognising abuse and neglect in this group of children. These include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- assumptions that children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these challenges.

### 4.12 Signs of abuse or neglect manifested by the parents or other responsible adult

- places unrealistic expectations on the child i.e. demands a level of academic or physical performance of which they are not capable;
- offers conflicting or unconvincing explanation of any injuries to the child;
- appears indifferent to, or overtly rejects, the child;
- denies existence of or blames the child for the child's problems at home or at school;
- sees and describes the child as entirely worthless, burdensome or in another negative light;
- refuses offers of help for the child's problems; or
- is isolated physically/emotionally.

### 4.13 Grooming

Grooming is the process by which an individual prepares a child, significant adults and the environment for abuse of this child. Children and young people can be groomed online or in the real world, by a stranger or by someone they know. Groomers may be male or female, of any gender identity. They could be any age. Many children and young people do not understand that they have been groomed, or that what has happened is abuse. The signs of grooming are not always obvious. Groomers will also go to great lengths not to be identified.

Children may:

- be very secretive, including about what they are doing online;
- have older boyfriends or girlfriends;
- go to unusual places to meet friends;
- have new things such as clothes or mobile phones that they can't or won't explain;
- have access to drugs and alcohol;
- go missing from home or school;
- display behavioural changes;
- have sexual health issues; or
- present as suicidal, self/harming, feeling depressed, unworthy.

In older children, signs of grooming can easily be mistaken for 'normal' teenage behaviour, but you may notice unexplained changes in behaviour or personality, or inappropriate sexual behaviour for their age. See the [NSPCC website](#) for further information about grooming.

### 4.14 Signs of grooming and/or online abuse

A child may be experiencing abuse online if they:

- spend lots, much more, or much less time online, texting, gaming or using social media;
- are withdrawn, upset or outraged after using the internet or texting;
- are secretive about who they're talking to and what they're doing online or on their mobile phone; and/or

- have lots of new phone numbers, texts or e-mail addresses on their mobile phone, laptop or tablet.

### **4.15 Signs of grooming manifested by sex offenders**

It is important to remember that not all sex offenders will exhibit the signs listed below and if an individual exhibits some or all of these signs, it does not mean that they are a sex offender:

- Overly affectionate behaviour with a child;
- Affording special attention or preferential treatment to a child;
- Excessive time spent alone with a child outside of the classroom/school;
- Frequently spending time with a child in private or isolated areas;
- Transporting a child to or from the school;
- Making friends with a child's parents and visiting their home;
- Acting as a particular child's confidante;
- Giving small gifts, money, toys, cards, letters to a child;
- Using texts, telephone calls, e-mails or social networking sites to inappropriately communicate with a child; and/or
- Flirtatious behaviour or making suggestive remarks or comments of a sexual nature around a child.

### **4.16 Modus operandi of institutional grooming**

- Target vulnerable victim: Perpetrators target victims who are vulnerable, isolated, insecure and/or have greater emotional needs.
- Gain victim's trust: Offenders may allow a child to do something (e.g. eat ice cream, stay up late, view pornography) which is not normally permitted by the child's parents or the school in order to foster secrecy.
- Gain the trust of others: Institutional offenders are often popular with children and parents, successfully grooming not only the victim but also other members of the victim's family and the community at large.
- Filling a need/becoming more important to the child: This can involve giving gifts, rewards, additional help or advice, favouritism, special attention and/or opportunities for special trips or outings.
- Isolating the child: The perpetrator may encourage dependency and subtly undermine the victim's other relationships with friends or family members.
- Sexualising the relationship: This can involve playful touches, tickling and hugs. It may involve adult jokes and innuendo or talking as if adults, for example about marital problems or conflicts.
- Maintaining control and secrecy: Offenders may use their professional position to make a child believe that they have no choice but to submit to the offender.

### **4.17 Signs of grooming for radicalisation**

There are no known definitive indicators that a young person is vulnerable to radicalisation, but there are a number of signs that together increase their risk of being groomed in this way. Signs of vulnerability include:

- Under/ over achievement;
- Being in possession of extremist literature;
- Poverty;
- Social exclusion;
- Traumatic events;
- Global or national events;
- Religious conversion;
- Change in behaviour;
- Extremist influences;
- Conflict with family over lifestyle;
- Confused identity;

- Victim or witness to race or hate crimes; and
- Rejection by peers, family, social groups.

### 4.18 Child Criminal Exploitation and Serious Violence

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, forced to shoplift or pickpocket, or to threaten other young people. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

### 4.19 Contextual Safeguarding

Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

The contextual safeguarding approach says that children's social care practitioners, child protection systems and wider safeguarding partnerships need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse beyond their front doors. This also includes the risk of abuse occurring in or outside of school.

See Annex B of KCSIE for more information.

### 4.20 Child Sexual Exploitation (CSE)

CSE is a form of child sexual abuse (see above) and occurs where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator.

The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

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CSE can affect any child or young person (male or female) under the age of 18 years, including 16-and 17-year olds, who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).

The above CCE indicators can also be indicators of CSE, as can:

- children who have older boyfriends or girlfriends; and
- children who suffer from sexually transmitted infections or become pregnant.

For more information, see Child Sexual Exploitation: Guide for Practitioners

See Annex B of KCSIE for more information.

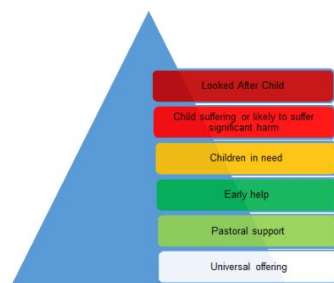
### 4.21 Children Missing in Education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and

neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation. It may indicate mental health difficulties, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's unauthorised absence and their local authority's children missing from education procedures.

## 5. Stages of child protection

The school can implement a range of actions, depending on the information available. The school will always work cooperatively with external agencies, including the local authority and the police.



Where a child is suffering, or is likely to suffer from harm, it is important that a referral to KESB (and, if appropriate, the police) is made immediately by the DSL, who should follow the local authority's referral process. If the DSL is not available then there should be no delay in the school making a referral.

### 1. Early Help

'Early Help' refers to the support given to a child/family when a problem first emerges and can be delivered to parents, children or whole families but their main focus is to improve outcomes for children. If early help is appropriate, the DSL or DDSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to a relevant Childrens Care organisation and/or therapist for assessment if the child's situation does not appear to be improving or is getting worse.

Any child may benefit from early help, but all school staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn into 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 misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child; and/or
- has already identified as being LGBT+ or is beginning to identify as LGBT+.

### 2. Children in Need

A Child in Need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare.

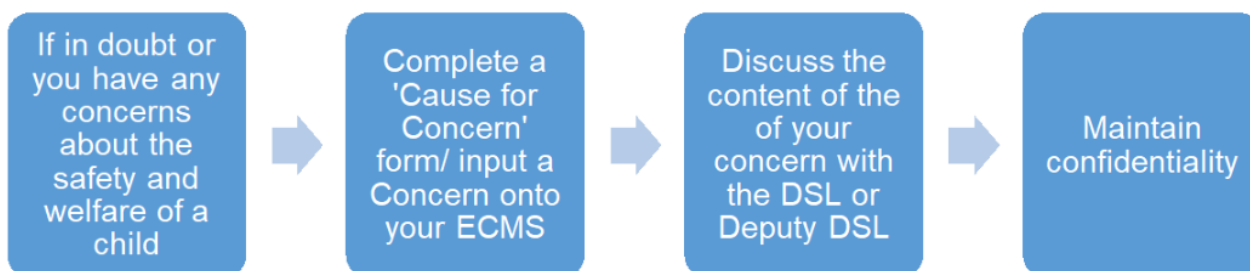
### 3. Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquires under 2012: Bundeskinderschutzgesetz if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation. Should an investigation occur, then the school's involvement and any action may be determined on the advice given by the investigating agency.



### 4. What to do if you have a concern about a child

This should be read alongside KCSIE (statutory guidance) – Part One and Annex A.



Safeguarding and promoting the welfare of children is everyone's responsibility (KCSIE 2021). All staff should know what to do when a child discloses abuse to them, they have concerns about a child's welfare, or when children or staff raise concerns about a pupil to them.

If a child tells a member of staff that they know about or have been a victim of abuse or neglect the member of staff should:

- Listen carefully and allow the child to speak freely and remain calm. Do not interrupt the child or be afraid of silences.
- Provide reassuring nods and words such as, "I am so sorry this has happened", "You are doing the right thing in talking to me". Avoid saying things like, "I wish you had told me about this earlier" or "I cannot believe what I am hearing". Questioning of the child about what they are saying should not be extensive, as partner agencies will lead any investigation. However, a context around what the child has said should always be sought prior to any referral being made to partner agencies. This should be done by the DSL or DDSL, depending on who obtained the initial disclosure i.e. if a member of teaching staff receives a disclosure or has a concern, the DSL should then also speak to the child, either to corroborate the child's account or to gain further context. Limit questioning to the minimum necessary for clarification using *What, When, How and Where*, but avoid leading questions such as, "Has this happened to your siblings?" Do *not* use questions beginning with *Why* as this can apportion feelings of guilt within a child.
- If the child discloses abuse, it is appropriate to ask whether any other adults were present and observed the abuse and whether the abuse has happened before.
- At an appropriate time, tell the child that the matter will be referred in confidence, always using language that is appropriate to the age and stage of development of the child, allowing for their individual need.
- Tell the child what will happen next. The child may want to accompany you to see the DSL, otherwise let the child know that someone will come to see them before the end of the day.

### 2. Recording

Staff should make a written record of the conversation with the child as soon as possible, using a 'Cause for Concern Form'. Staff should use the specific words that the child used (e.g. if referring to parts of their body), indicating these by using "speech marks/inverted commas". **If a disclosure of abuse has been made by the child, staff should immediately discuss the concerns verbally with the DSL, Deputy DSL or Principal prior to writing up the record** so that immediate action can be considered. If the DSL is not available then this should not delay appropriate action being taken and staff should speak to the DDSL, Principal or, failing that, a member of the SLT. Principals should be made aware of any referral that is made to KESB or the police, but staff must not delay if

they are unavailable before making the referral. All documents should be kept in a secure location with restricted access.

### 3. Making referrals to statutory agencies

#### *If a child is thought to be at risk of harm*

When a child is thought to be at risk of harm or is likely to be at risk of harm (see above), a referral should be made **immediately** to KESB or the police if a criminal act is thought to have occurred. Whilst it is the role of the DSL, any member of staff can make a referral to KESB or the police and there should be no delay. *The school does not require parental consent for referrals to be made to statutory agencies.* Consent to do this must **not** be obtained from the parents if to gain consent would put the child's safety at risk or to do so could jeopardise any investigation by partner agencies (WTSC 2018).

#### *If a child has unmet needs*

When a child is not considered at risk of harm, but still has unmet needs that could mean that they are a Child in Need (see above), a referral should be made to KJZ (Amt für Jugend und Berufsberatung) via the local authority process. The school does not require parental consent for referrals to be made to statutory agencies in these circumstances, however, it is best practice that these concerns should be discussed with the parents and any subsequent referral made transparently with the parent's knowledge.

#### *Confidentiality*

Staff should never guarantee confidentiality to pupils or adults wishing to tell them about something serious, as this may ultimately not be in the best interests of the child. They should guarantee that they will not tell anyone who does not have a clear need to know and that they will pass on information in confidence only to the people who must be told in order to ensure their safety.

### 5. Passing on safeguarding records when a child leaves the school

The DSL should consider if it would be appropriate to share any information with the new school in advance of a child leaving, for example, information that would allow the new school or college to continue supporting victims of abuse and have that support in place for when the child arrives.

## 6. Whistleblowing

All adults have a responsibility to report any concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils. If a member of staff believes that best practice in this area is not being adhered to or that practice may put a pupil or pupils at risk, they should:

If the concern relates to the Principal, they should contact: [dermot.kelly@iszn.ch](mailto:dermot.kelly@iszn.ch)

Any whistleblowing concern can also be raised directly with: [Fidelma.murphy@cognita.com](mailto:Fidelma.murphy@cognita.com)

[Please see the 'key people and contacts' page in this document for the contact details of the above people within Cognita.]

Concerns raised under this Whistleblowing Policy are distinct from concerns or allegations about an adult's suitability to work with or have access to children.

No member of staff will suffer a detriment or be disciplined for raising a genuine concern about unsafe practice, provided that they do so in good faith and follow the whistleblowing procedures.

### 7. The role of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) is the senior member of staff responsible for leading safeguarding in the school (including online safety). The DSL must be a member of the school leadership team. The DSL takes the lead responsibility for safeguarding and child protection in the school and their job description explicitly reflects this.

#### 1. Deputy DSL

The school can appoint a number of Deputy DSLs. Their role is to support the DSL in their safeguarding role. Whilst the *activities* of the DSL can be delegated to DDSLs, the ultimate lead responsibility for child protection must remain with the DSL, and this lead responsibility must not be delegated. The Deputy DSLs are trained to the same level as the DSL and their duties of the Deputy DSLs are reflected explicitly in their job descriptions.

#### 2. Inter-agency working

The DSL and Deputy DSLs liaise with the local authority and work in partnership with other agencies in the best interests of children in the school. See above for Safeguarding Partners and KCSIE (2019).

#### 3. Support for DSL

The DSL is 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.

There are 4 key elements to the DSL role. They will:

- Manage referrals
- Work with others
- Train
- Raise awareness

#### 4. Manage referrals

The DSL is expected to:

- refer cases of suspected abuse to the local authority children's social care (KESB) as required;
- support staff who make referrals to local authority children's social care (KJZ)
  - refer cases to projuventute (website: <https://www.projuventute.ch/> and emergency number 147) where there is a radicalisation concern as required;
- support staff who make referrals to projuventute programme;
- refer cases where a person is dismissed or has left due to risk/harm to a child to the relevant local authority as required (in collaboration with HR team); and
- refer cases where a crime may have been committed to the police as required.

#### 5. Work with others

The DSL is expected to:

- liaise with the Principal to inform him or her of issues, especially ongoing enquiries under 2012: Bundeskinderschutzgesetz. and police investigations;
- as required, liaise with the “case manager” (in relation to allegations against adults) and the Designated Officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- liaise with staff (especially pastoral support staff, school nurses, IT technicians, and SENCOs) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
- act as a source of support, advice and expertise for all staff.

### 6. Training

The DSL (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out their role, including inter-agency working. This training must be updated at least every two years. The DSL should undertake additional Prevent awareness training to the government Prevent training that all school staff undertake.

Note: The Principal and Deputy DSLs should be trained to the same level as the DSL.

In addition to the formal training set out above, the DSLs knowledge and skills should be refreshed via informal updates (this might be via e-bulletins, meeting other DSLs, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and 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 statutory intervention, including local criteria for action and local authority children’s social care referral arrangements;
- have a working knowledge of how local authorities conduct a child protection case conference 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 school or college’s 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;
- are able to keep detailed, accurate, secure written records of concerns and referrals;
- understand and support the school or college with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college;
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

### 7. Raise awareness

The DSL should:

- ensure the school’s safeguarding and child protection policies are known, understood and used appropriately;

- ensure the school's Safeguarding and Child Protection Policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the proprietor regarding this;
- ensure the Safeguarding and Child Protection Policy is available publicly and parents are aware of the fact that referrals to KJZ, KESB or the police about suspected abuse or neglect may be made and the role of the school in this; and
- link with the local Safeguarding Partners to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

### 8. Safeguarding Files

The DSL should consider if it would be appropriate to share any information with the new school in advance of a child leaving. For example, information that would allow the new school to continue supporting victims of abuse and have that support in place for when the child arrives. This should be done with the parent's knowledge, unless to do so would place a child or parent at heightened risk.

### 9. Availability

During term time the DSL (or a deputy) will always be available (during school hours) for staff in the school to discuss any safeguarding concerns. Whilst generally speaking the DSL (or deputy) will normally be available in person, the Principal will define what "available" means and whether in exceptional circumstances availability via phone and/or Skype or other such media is acceptable. It is the responsibility of the DSL to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

### 10. Online Safety

Technology often provides the platform that may facilitate harm. DSLs are responsible for overseeing online safety in schools and should raise awareness in the staff group accordingly, including but not limited to, child sexual exploitation, radicalisation and sexual predation. The school will protect and educate the school community in their use of technology and has mechanisms to identify, intervene in, and escalate any incident, where appropriate.

There are three main 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; for example the making, sending and receiving of explicit images, or online bullying.

More information can be found [here](#) and on page 98 of KCSIE 2021.

## 8. Responsibilities of the proprietor

Cognita is the proprietor of the school. As proprietor, Cognita will comply with all duties under legislation and will always take into account statutory guidance, ensuring that all policies, procedures and training are effective and comply with the law at the time.

It is the responsibility of the proprietor to:

- Ensure that all staff read at least Part One of KCSIE;
- Ensure that staff working with children will also read KCSIE Annex A;
- Ensure that all staff follow the requirements of this Safeguarding and Child Protection Policy and Procedure;
- Ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities, as set out in Part One of KCSIE;

- Designate a senior board member to take leadership responsibility for safeguarding arrangements;
- Ensure that all safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency procedures set up by the Safeguarding Partners;
- Ensure that appropriate policies and procedures are in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare;
- Ensure that each school works in line with local inter-agency procedures;
- Ensure that the Safeguarding Policy is updated annually and made available via the school website;
- Provide a Staff Code of Conduct and Acceptable Use Policy;
- Ensure that all responsibilities regarding Children Missing from Education\* are followed, using Children Missing Education Statutory Guidance (Sep 2016);
- Instruct schools to hold more than one contact number for each child, where possible;
- Ensure that all staff undergo safeguarding and child protection training (including online safety) at induction – this must be in line with advice from Safeguarding Partners;
- Recognise the expertise staff build by undertaking safeguarding training and managing concerns on a daily basis;
- Ensure that appropriate filters and monitoring systems are in place to keep children safe online; and
- Ensure that children are taught about safeguarding, including online safety.

The proprietor ensures that an annual review of safeguarding arrangements is conducted. This includes a written report which is presented to the Cognita Board.

Members of the proprietorial team working in a governance and oversight role (e.g. Directors of Education) will undertake DSL level training, induction and training.

### 9. Induction

At the point of induction, **all** staff must be provided with, should read and should be trained in:

- KCSIE 2021 – Part One and Annex A;
- The Safeguarding and Child Protection Policy and Procedure, including whistleblowing;
- Staff Code of Conduct and Acceptable Use of IT Policy (including staff/pupil relationships and communications);
- Digital Safety Policy (including use of social media);
- Children Missing from Education Policy;
- Behaviour Policy; and
- Preventing Extremism and Radicalisation Policy.

At the point of induction, new staff must be informed of the names and role of the Designated Safeguarding Lead and Deputies.

### 10. Training

1. Staff employed in school  
All staff employed in school should receive **annual** safeguarding and child protection training, usually at the commencement of the academic year. Staff should also receive safeguarding and child protection updates regularly throughout the year, provided by the DSL, in order to provide them with relevant skills and knowledge to safeguard children effectively, for example, learning about the topics in Annex A (KSCIE 2019).
2. Third-party contractors

It is good practice for those employed as third-party contractors who work regularly in school with the opportunity for contact with pupils to have basic safeguarding training, at a level appropriate to their role.

### 3. Teaching about safeguarding

The school is committed to proactively teaching children about safeguarding, including online safety, as part of our approach to offering a broad and balanced curriculum. Through ongoing work with the children, we aim to build resilience so that every child knows that we are a 'telling school' and that speaking up about any concern is valued and actively promoted. This includes raising a concern about themselves or about another.

Safeguarding is taught in the following way:

Areas of safeguarding are firmly embedded in the PSHE curriculum in all year from Grade 6 – Grade 12.

We actively promote the view that children should feel able to raise any concerns that they may have. This includes when they have a concern about a friend or peer. We take the following measures to ensure that children know how to raise a concern:

Teach children who to speak to (through our pastoral team) when they have concerns and ensure that these are taken seriously. We ensure children know who DSL/DDSLs are.

## 11. Online safety

All staff should be aware of the risks posed to children by technology and the internet and should understand their role in preventing, identifying and responding to harm caused by its use.

All staff should be familiar with the school's Digital Safety Policy, which sets out the school's approach to online safety in further detail, as well as the school's Youth Produced Sexual Imagery Policy (see later in this document).

### 1. Youth produced sexual imagery/'Sexting'

Whilst many professionals refer to the issue as 'sexting', there is no clear definition of 'sexting'. According to research, many professionals consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.' Yet, recent NSPCC research has revealed that when children are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know.'<sup>1</sup> Similarly, a recent ChildLine survey has revealed that many parents think of sexting as flirty or sexual text messages, rather than images.

This policy only covers the sharing of sexual imagery by children. Possessing, creating, sharing and distributing sexual photos and videos of under-18s is illegal ([Art. 197, 4 and 5](#), Swiss Criminal Code), and therefore causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management. On this basis, this policy introduces the phrase 'youth produced sexual imagery' and uses this instead of 'sexting'.<sup>2</sup> This is to ensure clarity about the issues this advice addresses.

### 2. What is youth produced sexual imagery?

'Youth produced sexual imagery' best describes the practice because:

- 'Youth produced' includes children sharing images that they, or another child, have created of themselves.

- 'Sexual' is clearer than 'indecent'. A judgement of whether something is 'decent' is both a value judgement and dependent on context.
- 'Imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).

### 3. What types of incidents are covered by this policy?

Yes:

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

No:

- The sharing of sexual imagery of children by adults as this constitutes child sexual abuse and schools should always inform the police.
- Children sharing adult pornography or exchanging sexual texts which do not contain imagery<sup>3</sup>.
- Sexual imagery downloaded from the internet by a child<sup>4</sup>.
- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult<sup>5</sup>.

### 4. Disclosure

All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving youth produced sexual imagery. This will be covered within staff training. Disclosure about youth produced sexual imagery can happen in a variety of ways. The child affected may inform a class teacher, the DSL in school, or any member of the school staff. They may report through an existing reporting structure, or a friend or parent may inform someone in school or colleague, or inform the police directly. Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort and they may have already tried to resolve the issue themselves.

### 5. Handling incidents

All incidents involving youth produced sexual imagery should be responded to in line with this policy. When an incident involving youth produced sexual imagery comes to a member of staff's attention:

- The incident should be referred to the DSL as soon as possible;
- The DSL should hold an initial review meeting with appropriate school staff;
- The DSL will follow the procedures and guidance set out in '[Sexting in schools and colleges: responding to incidents and safeguarding young people](#)';
- There should be interviews with the children involved (if appropriate);
- Parents of each child should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at greater risk of harm and jeopardise any police/social care investigation; and
- At any point in the process, if there is a concern that a child has been harmed or is at risk of harm, a referral should be made to KJZ, KESB and/or the police immediately.

## 12. Peer on peer abuse

All staff should be alert to the risk of peer on peer abuse and understand their role in preventing, identifying and responding to it. Staff should know that children are capable of



abusing their peers. They should never dismiss abusive behaviour as a normal part of growing up, 'banter' or 'just having a laugh', and should not develop high thresholds before taking action. Abuse is abuse and peer on peer abuse should be taken as seriously as abuse by adults.

1. What is peer on peer abuse?

For these purposes, peer on peer abuse is any form of abuse perpetrated by a child towards another child. It can take many different forms, including, but not limited to;

- serious bullying (including cyber-bullying)
- relationship abuse
- domestic violence
- child sexual exploitation
- youth and serious youth violence
- 'upskirting' (see below), harmful sexual behaviour (see below)
- gender-based violence
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- sexual violence (such as rape, assault by penetration and sexual assault; this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment (including sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse)
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (previously known as sexting or youth produced sexual imagery)

These categories of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, while children who abuse may have power over those who they are abusing, they may be simultaneously powerless to others.

Youth produced sexual imagery can but does not always constitute abusive behaviour. All incidents involving youth produced sexual imagery should be responded to with reference to the school's policy and in accordance with this policy (see above).

2. What role does gender and sexual orientation play?

Children of all gender identities and sexual orientations can both perpetrate and be the victim of peer on peer abuse, but this often manifests itself differently; some may seem to be at greater risk of sexual assault and/or exploitation, whereas others seem to be at greater risk of physical gang-related violence and serious youth violence.

3. When does behaviour become abusive?

It can be difficult to distinguish between abusive behaviour, which should be dealt with in accordance with the procedure set out below, and behaviour which does not constitute abuse, such as low level bullying (where the school's Anti-Bullying Policy should be followed) or age appropriate sexual experimentation.

Factors which may indicate that behaviour is abusive include:

- a. where it is repeated over time and/or where the perpetrator intended to cause serious harm;
- b. where there is an element of coercion or pre planning; and
- c. where there is an imbalance of power, for example, as a result of age, size, social status or wealth.

This list is not exhaustive and staff should always use their professional judgment and discuss any concerns with the DSL.

4. How can I identify victims of peer on peer abuse?

Identifying peer on peer abuse can be achieved by being alert to children's well-being and to general signs of abuse. Signs that a child may be suffering from peer on peer abuse overlap with those relating to other types of abuse – see indicators of abuse, earlier in this document.

Signs can include:

- a. failing to attend school, disengaging from classes or struggling to carry out school related tasks to the standard you would ordinarily expect.
- b. physical injuries.
- c. having difficulties with mental health and/or emotional wellbeing.
- d. becoming withdrawn, shy, experiencing Principalaches, stomach aches, anxiety, panic attacks, suffering from nightmares or lack of sleep or sleeping too much.
- e. drugs and/or alcohol use.
- f. changes in appearance and/or starting to act in a way that is not appropriate for the child's age.

This list is not exhaustive and the presence of one or more of these signs does not necessarily indicate abuse.

5. Are some children particularly vulnerable to abusing or being abused by their peers?

Any child can be affected by peer on peer abuse and staff should be alert to signs of such abuse amongst all children. Research suggests that:

- a. peer on peer abuse is more prevalent amongst children aged 10 and older, although it also affects younger children, including by way of harmful sexual behaviour.
- b. children who are particularly vulnerable to abuse or to abusing others include those who have (i) witnessed or experienced abuse or violence themselves; (ii) suffered from the loss of a close family member or friend; or (iii) experienced considerable disruption in their lives.
- c. children with SEN/D and those who identify as LGBT+ are particularly vulnerable to both abuse and peer on peer abuse.

6. How prevalent is peer on peer abuse?

Recent research suggests that peer on peer abuse is one of the most common forms of abuse affecting children in the UK. For example, more than four in ten teenage schoolgirls aged between 13 and 17 in England have experienced sexual coercion (Barter et al 2015). Two thirds of contact sexual abuse experienced by children aged 17 or under was perpetrated by someone who was also aged 17 or under (Radford et al 2011) and over a third of young boys in England admitted to watching porn and having negative attitudes towards women (University of Bristol and University of Central Lancashire, 2015).

7. What should I do if I suspect either that a child may be being abused, or that a child may be abusing others?

If a member of staff thinks for whatever reason that a child may be at risk of abuse from another child or young person, or that a child may be abusing others, the member of staff should report their concern to the DSL without delay in accordance with this policy. If a child

is in immediate danger, or at risk of harm, a referral to KJZ, KESB and/or the police should be made immediately.

8. How will the DSL respond to concerns of peer on peer abuse?

The DSL will discuss the behaviour with the member of staff and will, where necessary, take any immediate steps to ensure the safety of the victim(s) or any other child. Where the DSL considers or suspects that the behaviour might constitute abuse, KJZ and or KESB will be contacted immediately and, in any event, within 24 hours of the DSL becoming aware of it. The DSL will discuss the incident with KJZ and or KESB and agree on a course of action, which may include (a) taking any steps to ensure the safety and wellbeing of any children affected; (b) further investigation; (c) referral to other agencies such as the police (where a crime may have been committed), a specialist harmful sexual behaviour team and/or youth offending services.

Any response should be decided in conjunction with KESB and other relevant agencies and should:

- investigate the incident and the wider context and assess and mitigate the risk posed by the perpetrator(s) to the victim(s) and to other children;
- consider that the abuse may indicate wider safeguarding concerns for any of the children involved;
- treat all children (whether perpetrator or victim) as being at risk - while the perpetrator may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves;
- take into account the complexity of peer on peer abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited, they are not consenting;
- take appropriate action in respect of the perpetrator – any action should address the abuse, the causes of it, attitudes underlying it and the support that may be needed if the perpetrator is at risk. Factors to consider include: the risk the perpetrator(s) poses and will continue to pose to other children, their own unmet needs, the severity of the abuse and the causes of it. Disciplinary action may be appropriate, including (a) to ensure that the perpetrator takes responsibility for and realises the seriousness of his or her behaviour; (b) to demonstrate to the perpetrator and others that abuse can never be tolerated; and (c) to ensure the safety and wellbeing of the victim and other children in the school. Permanent exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the victim(s) and other children in the school;
- provide on-going support to victim(s) including by (a) ensuring their immediate safety; (b) responding promptly and appropriately to the abuse; (c) assessing and addressing any unmet needs; (d) following the procedures set out in this Safeguarding Policy (including where the child is in need of early help or statutory intervention); (e) monitoring the child's wellbeing closely and ensuring that s/he receives on-going support from all relevant staff members within the school; (f) engaging with the child's parents and any external agencies to ensure that the child's needs are met in the long-term; and
- consider the lessons that can be learnt from the abuse and put in place measures to reduce the risk of such abuse recurring. This may include, for example: gender and equalities work, work around school safety, security and supervision, awareness raising for staff, students and parents about a particular form of abuse, training for staff on handling certain types of incidents or abuse.

9. How does the school raise awareness of, and reduce the risk, of peer on peer abuse?

Staff are trained on the nature, prevalence and effect of peer on peer abuse, and how to prevent, identify and respond to it. The school actively seeks to prevent all forms of peer on peer abuse by educating students and staff, challenging the attitudes that underlie such abuse, encouraging a culture of tolerance and respect amongst all members of the school

community, and responding to all cases of peer on peer abuse and any cases of bullying (no matter how trivial) promptly and appropriately.

Children are educated about the nature and prevalence of peer on peer abuse via PSHE; they are told what to do if they witness or are victims of such abuse, the effect that it can have on the victims and the possible reasons for it, including vulnerability of the perpetrator. They are regularly informed about the school's approach to such issues, including its zero tolerance policy towards all forms of bullying and peer on peer abuse.

### 13. Sexual Violence and Sexual Harassment between Children

Peer on peer abuse can include two specific forms, known as Sexual Violence and Sexual Harassment. Any response to these should fall within, and be consistent with, the school's wider approach to peer-on-peer abuse (see above).

*Sexual Violence* includes sexual offences which fall under the Swiss Criminal Code, Articles 187-212.

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

All staff should be aware of the indicators which may signal children are at risk from, or are involved with serious violent crime. These may include;

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or a significant change in wellbeing, or
- signs of assault or unexplained injuries

Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation

*Sexual Harassment* refers to 'unwanted conduct of a sexual nature'. This can occur *online* (including, but not limited to non-consensual sharing of images, making sexual

comments on social media) and *offline* (including but not limited to making sexual comments, sexual taunting or 'jokes', and physical contact, for example, brushing against someone deliberately or interfering with their clothes).

Sexual Violence and Sexual Harassment can:

- occur between any two children, or a group of children against one individual or group;
- be perpetrated by a child of any age against a child of any age;
- be perpetrated by a child of any sexual orientation against a child of any sexual orientation;
- include behaviours that exist on an often progressive continuum and may overlap; and/or
- be online and offline (physical or verbal).

Advice from the Department for Education on [Sexual Violence and Sexual Harassment Between Children in Schools and Colleges](#) (2017) provides information about what sexual violence and sexual harassment is, how to minimise the risk of it occurring, and what to do when incidents occur, or are alleged to have occurred. The DfE advice highlights best practice and cross-references other advice, statutory guidance and the legal framework. The school will apply the principles set out in it when considering their approach to sexual violence and sexual harassment between children.

*Key Points: The above guidance*

- stresses the importance of making it clear that sexual violence and sexual harassment are not acceptable, will never be tolerated, and are not an inevitable part of growing up
- highlights the risks of tolerating or dismissing any forms of sexual violence or sexual harassment, and encourages early intervention to avoid potential escalation;
- advises on how to embed training and education on these issues within a strong pastoral system, and a planned taught programme across the whole curriculum;
- encourages forums that enable children to talk about issues openly;
- includes a list of possible topics that any taught programme could cover - including consent, gender roles, stereotyping and equality, healthy relationships, and power imbalances in relationships;
- advises on how to manage a disclosure, either from the child who has suffered abuse or from other children;
- provides guidance on when to carry out a risk and needs assessment for children affected by sexual violence or sexual harassment;
- provides guidance on initial considerations which schools should take into account when faced with a concern or allegation of sexual violence or sexual harassment - including the age and developmental stages of the children, and any power imbalance between them; and
- provides guidance on difficult scenarios which schools might encounter, for example, how to handle an incident between two pupils which is alleged to have taken place away from school premises.

### Our approach to Sexual Violence and Sexual Harassment

The school will apply the principles set out in the above document when considering their approach to sexual violence and sexual harassment between children. In this school we will:

- not accept or tolerate sexual violence and sexual harassment

- not downplay or consider that these types of behaviours are 'banter', an 'inevitable part of growing up' or hold the view that 'boys will be boys', knowing that to do so may normalise inappropriate behaviours may create an unsafe culture where children feel less able to come forward with concerns
- encourage early intervention to avoid potential escalation
- challenge inappropriate physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts
- challenge inappropriate verbal behaviour, such as making sexist comments, innuendo or taunting
- embed training and education on these issues within a strong pastoral system
- adopt a planned and sequenced RSE programme across the whole curriculum including age appropriate content around: consent, gender roles, stereotyping and equality, healthy relationships, and power imbalances in relationships
- develop and encourage forums that enable children to talk about issues openly
- have clear and accessible systems in place for children to confidently report abuse, knowing their concerns will be treated seriously
- act in the best interests of all children involved, reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never given the impression that they are creating a problem by reporting sexual violence or sexual harassment.
- manage any disclosure, either from the child who has suffered abuse or from other children, giving the victim(s) as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school's duty and responsibilities to protect them and other children
- carry out a risk and needs assessment for children affected by sexual violence or sexual harassment, including both the victim and alleged perpetrator- this may be informed by risk assessments completed by external services
- engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of sexual violence (in the case of sexual harassment this might not be necessary or proportional and should be considered on a case-by-case basis). The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk

### Upskirting

Under the Swiss Criminal Code Article 197 & 198, 'Upskirting' can be seen to be a criminal offence and typically refers to the taking of a photo under someone's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm'.

Children with Special Educational Needs (SEN) are more vulnerable, and there may be barriers in recognising abuse in this group of children. In addition, children who are perceived by their peers to be LGBT or identify themselves as LGBT may be more vulnerable.

### 14. Signposting to further information

Annex A of KCSIE contains further guidance on a range of specific safeguarding issues. This section should be read by all staff that work directly with children.

Any person that has a concern about a child within the school must follow the procedures outlined within this document.

If staff have any concerns about a child's welfare, they should act on them immediately. Where a child is suffering, or is likely to suffer from harm, it is important that a referral to Children's Social Care (and if appropriate the police) is made immediately.

Annex A of KCSIE contains guidance on the following issues:

- Children and the court system
- Children missing from education
- Children with family members in prison
- Child sexual exploitation
- Child criminal exploitation: county lines
- Domestic abuse
- Homelessness
- So-called 'honour-based' violence
- Preventing radicalisation
- Peer on peer abuse
- Sexual violence and sexual harassment between children in schools and colleges
- Upskirting

### 15. Low level concerns

The safety and wellbeing of children in our school is dependent on the vigilance of all our staff and their prompt communication to the DSL or Principal of any concerns, no matter how small, about any conduct by an adult which causes you to doubt that adult's suitability to work with or have access to children. All references in this section to "adult" should be interpreted as meaning any adult (defined above) and visitor, unless otherwise stated. The school is conscious of its duty of care to pupils and will always act, including if alerted to the possibility of abuse arising from situations or persons outside the school setting.

The notification and prompt handling of all concerns about adults, including those raised by individuals about themselves, is fundamental to safeguarding children. It helps to identify and prevent abuse and to protect adults against misunderstandings or misinterpretations. It also encourages openness, trust and transparency and it clarifies expected behaviours. Those raising concerns or reporting allegations in good faith will always be supported, and adults in respect of whom concerns or allegations have been raised will not suffer any detriment unless the concern or allegation is found to be substantiated.

#### 1. Code of Conduct

All staff must behave responsibly and professionally in all dealings with children and specifically with pupils for whom they have a duty of care. All staff must follow the procedures set out in our 'Staff Code of Conduct including Acceptable Use Policy'. Staff should always avoid behaviour which might be misinterpreted by others. As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young

people are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Staff should note that it is an offence for a person aged 18 or over and in a position of trust to touch a child in a sexual way or have a sexual relationship with a child, even if the relationship is consensual. A position of trust could arise even if the member of staff does not teach the child.

Cognita does not permit the use of personal mobile phones and cameras by staff where children are present. The school has a specific Early Years Policy for The Use of Mobile Phones and Devices that recognises and manages the risks by a means appropriate to the setting.

### 2. Our Low Level Concern Policy (including self-reporting)

The overarching aim of the school's Low Level Concern Policy is to facilitate a culture in which the clear values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention of this policy is to:

- maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct; and
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.



### 3. What is a low level concern, including those that are self-reports?

#### Self-reporting

From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct.

Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting of low level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

#### Low level concerns about an adult

From time to time an individual may notice behaviour or actions in others which leave them concerned. These are behaviour or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met. Any such concerns can be dealt with as a low level concern.

A low level concern for this purpose is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the school's Code of Conduct or simply – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door;
- using inappropriate sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

A self-report also falls under our Low Level Concerns Policy and can be as described above. Where a staff member wishes to work outside out of their contract with Cognita, they should first seek agreement with their Principal and a written confirmation placed in their employee file.

### 4. What should I do if I have one?

Where a low level concern (including self-reports) exists, it should be reported to the DSL or to the Principal as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident).

### 5. How will my low level concern be handled (including self-report)?

The DSL will discuss all low level concerns s/he receives with the Principal as soon as possible and in any event within 24 hours of becoming aware of it. The Principal will, in the first instance, satisfy him/herself that it is a low level concern and should not be reclassified

as an *allegation* and dealt with under the appropriate procedure (outlined later in this document). The circumstances in which a low level concern might be reclassified as an allegation are where:

- a) the threshold is met for an allegation (see below);
- b) there is a pattern of low level concerns which collectively amount to an allegation; or
- c) there is other information which, when taken into account, leads to an allegation.

Where the Principal is in any doubt whatsoever, advice will be sought from the Designated Officer, if necessary on a no-names basis.

Having established that the concern is low level, the DSL or Principal as appropriate will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training, etc. The person to which the low level concern relates should be informed of any concern raised about them once all risk has been identified and assessed.

### 6. What records will be kept?

Where a low level concern has been communicated, or a self-report raised by an individual about themselves, a confidential record will be kept in a central file which logs all low level concerns and will be retained until the staff member reaches normal pension age or 10 years after if longer. This is necessary to enable any patterns to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- a) the concern (or group of concerns) has been reclassified as an allegation as above; or
- b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

## 16. Allegations of abuse made against teachers and other staff

The purpose of this section of the policy is to outline how allegations against adults will be handled. Allegations will always be dealt with in accordance with statutory guidance provided in KCSIE.

### 1. What is an allegation?

Allegations represent situations that might indicate a person would pose a risk of harm to children if they continue to work in regular or close contact with children in their present position, or in any capacity. This policy applies to all adults in the school if it is alleged that they have:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

An allegation may be triggered by one specific incident or by a pattern of behaviour by the adult, or low level concerns which when considered *collectively* amount to an allegation.

### 2. What should I do if I have an allegation?

Allegations about staff or volunteers should be reported to the Principal immediately.

The Principal will liaise with the Designated Officer of the Local Authority as set out below and inform the Cognita Director of Education.

If the allegation is about the Principal, it must be referred to the Cognita Director of Education (DE) immediately, without informing the Principal.

The adult to whom the concern or allegation relates should not be informed.

The DE will liaise with the Designated Officer of the Local Authority as set out below and inform the Cognita Group Director of Education.

3. Duties as an employer and an employee

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

Cognita has a duty of care to all employees. Cognita will provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time, supports the person who is the subject of the allegation.

4. Dealing with an allegation

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above, or may do so without warranting consideration of either a police investigation or enquiries by local authority Children's Social Care services. In these cases, local arrangements will be followed to resolve cases without delay. Some rare allegations will be so serious they require immediate intervention by KESB and/or the police.

*Initial discussion*

**The Principal or Director of Education will not undertake any investigation before first speaking to the Designated Officer.** The Principal (or Director of Education where there is an allegation against the Principal) ['case manager'] will inform the Designated Officer of all allegations that come to the school's attention and appear to meet the criteria. The Designated Officer will consult with the police and KESB as appropriate. After first notifying the Designated Officer, the Principal (or Director of Education) must notify the Group Director of Education, Principal of HR and the Regional Safeguarding Advisor of the allegation and the action taken.

The purpose of an initial discussion is for the Designated Officer(s) and the case manager (school initially) to consider the nature, content and context of the allegation and agree a course of action. The Designated Officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the Designated Officer(s) in order to help determine whether police involvement is necessary.

The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded by both the case manager and the Designated Officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the Designated Officer(s) what action should follow both in respect of the individual and those who made the initial allegation.

### *Inter-agency Strategy Discussion*

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion will be convened by the Designated Officer or the police in accordance with the statutory guidance *Working Together to Safeguard Children*. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police will take into account that teachers and other school and college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Where a strategy discussion is needed, or police or KESB need to be involved, the case manager (school) will **not** inform the accused person until those agencies have been consulted, and have agreed what information can be disclosed to the accused. The case manager should only inform the accused person about the allegation after consulting the Designated Officer(s) and actions have been decided. It is extremely important that the case manager provides the accused with as much information as possible at that time.

Where it is clear that an investigation by the police or KESB is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the Designated Officer(s) will discuss the next steps with the case manager. In those circumstances, the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative (see guidance on suspension, below).

### *Internal investigations*

In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the Designated Officer(s) will discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, an internal investigation will be agreed upon and should normally be undertaken by a senior member of school staff. Where necessary, due to lack of resource or the nature or complexity of the allegation, the allegation will require an independent investigator. An independent investigator will be appointed by the Principal of HR on behalf of the Group Director of Education.

Where a safeguarding concern or allegation triggers another procedure, such as grievance or disciplinary, that procedure shall only be followed once the immediate safeguarding concern or allegation has been fully investigated.

#### 5. Suspension of an employee

Cognita will consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension will be considered prior to taking that step.

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases, this will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the Designated Officer(s), Children's Social Care or

the police as required. But suspension is highly unlikely to be justified on the basis of such concerns alone.

Within Cognita, suspension requires the authorisation of the Group Director of Education (or Director of Education in their absence). Our group policy is to hold a conversation with the case manager, Principal of HR and Group Director of Education to reach a rounded decision about whether suspension is the correct course of action.

Suspension will be considered only in a case where there is cause to suspect a child or other children at the school are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager will consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved.

The case manager will also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the Designated Officer(s), police and Children's Social Care services have no objections to the member of staff continuing to work during the investigation, the case manager will aim to be as inventive as possible to avoid suspension.

Based on assessment of risk, the following alternatives will be considered by the case manager before suspending a member of staff:

- redeployment within the school so that the individual does not have direct contact with the child or children concerned;
- providing an assistant to be present when the individual has contact with children;
- redeploying to alternative work in the school so the individual does not have unsupervised access to children;
- moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or
- temporarily redeploying the member of staff to another role in a different location, for example to an alternative school.

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager will consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the Designated Officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation will be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. Cognita will make clear to the suspended employee where they can obtain support. The person will be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children's Social Care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although the case manager will give appropriate weight to their advice. The power to suspend is vested in Cognita as proprietor of the school.

Where a strategy discussion or initial evaluation concludes that there should be enquiries by KESB and/or an investigation by the police, the Designated Officer(s) should canvass police and Children's Social Care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision will be taken on a case-by-case basis having undertaken a risk assessment.

6. Support for employees

Cognita has a duty of care to their employees. Cognita will act to manage and minimise the stress inherent in the allegations process. Support for the accused individual is vital to fulfilling this duty. Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the Children's Social Care services or the police. The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They will also be given access to an employee support service, provided by Cognita.

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

Parents or carers of the child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or the police or KESB need to be involved, the case manager will not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers will also be kept informed of the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child will be told the outcome in confidence.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, KESB, or the police as appropriate, will consider what support the child or children involved may need.

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