



Child Protection and Safeguarding Policy and Procedures

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Change role Regional Coordinator to Chief Operating Officer 01/09/23 Change DSL to Tania Mayes 01/04/23

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USEFUL CONTACTS

• Designated safeguarding lead

Tania Mayes 07546 744072

Devon Safeguarding Team <u>0345 155 1071</u> or email <u>mashsecure@devon.gov.uk</u>. If it's an **emergency** call <u>999</u>





1. Aims

DevonPathways aims to ensure that:

- To demonstrate commitment to safeguarding and child protection to pupils, parents and other partners.
- To support the child's development in ways that will foster security, confidence and independence.
- To raise the awareness of all staff of the need to safeguard children and of their responsibilities in identifying and reporting possible cases of abuse.
- To emphasize the need for good levels of communication between all members of staff.
- To develop a structured procedure which will be followed by all members of DevonPathways in cases of suspected abuse.
- To develop and promote effective working relationships with other agencies, especially the Police and MASH.
- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance <u>Keeping Children Safe in Education (2021)</u> and <u>Working Together to Safeguard Children (2018)</u>.

This policy is also based on the following legislation:

- Part 3 of the schedule to the <u>Education (Independent School Standards) Regulations 2014</u>, which places a duty on academies and independent schools to safeguard and promote the welfare of young persons at DevonPathways
- The Children Act 1989 (and 2004 amendment), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the <u>Serious Crime Act 2015</u>, which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- <u>Statutory guidance on FGM</u>, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- <u>The Rehabilitation of Offenders Act 1974</u>, which outlines when people with criminal convictions can work with children
- Schedule 4 of the <u>Safeguarding Vulnerable Groups Act 2006</u>, which defines what 'regulated activity' is in relation to children
- <u>Statutory guidance on the Prevent duty</u>, which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism

3. Definitions

Safeguarding and promoting the welfare of children means:

- 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
- Taking action to enable all children to have the best outcomes

Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

Abuse is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.





Neglect is a form of abuse and 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. Appendix 1 defines neglect in more detail.

Sexting (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children

Children includes everyone under the age of 18.

The following **3 safeguarding partners** are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017). They will make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs:

- The local authority (LA)
- A clinical commissioning group for an area within the LA
- The chief officer of police for a police area in the LA area

4. Equality statement

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities (see section 9)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- · Are looked after or previously looked after

5. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in DevonPathways and is consistent with the procedures of the 3 safeguarding partners. Our policy and procedures also apply to extended school and off-site activities.

5.1 All staff

All staff will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, <u>Keeping Children Safe in Education</u>, and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including this child protection and safeguarding policy, the role and identity of the designated safeguarding lead (DSL) and deputy.
- The early help process (sometimes known as the common assessment framework) and their role in it, including
 identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support
 early identification and assessment
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play





- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual
 exploitation (CSE), indicators of being at risk from or involved with serious violent crime, FGM and radicalisation

Section 13 and appendix 4 of this policy outline in more detail how staff are supported to do this.

5.2 The designated safeguarding lead (DSL)

The DSL is a member of the senior leadership team. Our DSL is Tania Mayes. The DSL takes lead responsibility for child protection and wider safeguarding.

During term time, the DSL will be available during school hours for staff to discuss any safeguarding concerns.

Tania Mayes 07546 744072

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of children
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel program, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly

The DSL will also keep the headteacher informed of any issues and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The full responsibilities of the DSL and deputy are set out in their job description.

5.3 Directors Role

The Directors will approve this policy at each review, ensure it complies with the law.

All Directors will read Keeping Children Safe in Education.

6. Confidentiality

DevonPathways will share information with social services, education and police to keep children safe.

We will always ensure we remember and act on the following

- Timely information sharing is essential to effective safeguarding
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk
- Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests
- The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing
 information, and will support staff who have to make decisions about sharing information

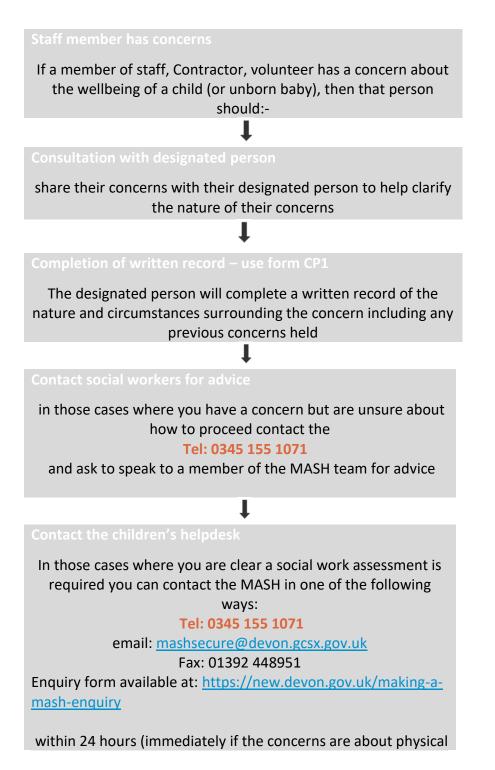


- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against staff in appendix 3

7. Recognising abuse and taking action

Staff, volunteers and governors must follow the procedures set out below in the event of a safeguarding issue.

Please note – in this and subsequent sections, you should take any references to the DSL to mean "the DSL (or deputy DSL)".





injury or sexual abuse). The CYPD social care section will then take responsibility for managing any subsequent enquiries. The referrer should confirm the details of the concern to CYPD, in writing, within 48 hours to Multi-Agency Safeguarding Hub, PO Box 723, Exeter EX1 9QS

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Resolving professional Difference

Remember to use the 'resolution of professional difficulties (escalation) procedures if you are left feeling that the response from social care has not addressed your concerns for the child. Advice about procedural issues including using the resolving professional differences procedures can be obtained through the **Safeguarding Children Service on 0345 155 1071** For out of hours advice please contact the **Emergency Duty Team on 0345 600 0388 or 0845 600 0388**

7.1 If a child is suffering or likely to suffer from harm, or in immediate danger

Make a referral to children's social care and/or the police **immediately** if you believe a child is suffering or likely to suffer from harm, or in immediate danger. Inform the referring school. **Anyone can make a referral.**

Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

https://www.gov.uk/report-child-abuse-to-local-council

7.2 If a child makes a disclosure to you

If a child discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own
 judgement on it
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so.

7.4 If you have concerns about a child (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)

Figure 1 illustrates the procedure to follow if you have any concerns about a child's welfare.

Where possible, speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to referring school and/or take advice from local authority children's social care. You can also seek advice at any time from the NSPCC helpline on 0808 800 5000.

Make a referral to local authority children's social care directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.





Early help

If early help is appropriate, the DSL will refer to the referring body for guidance. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

The DSL will keep the case under constant review and DevonPathways will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

Referral

Referring bodies will be informed of any safeguarding concerns. DevonPathways will follow support the referring bodies DSL in making referrals

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the child's situation improves.

7.5 If you have concerns about a member of staff

If you have concerns about a member of staff and their conduct. Follow the procedures set out below.

The concern will be referred to the LADO if the member of staff has

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicated they may pose a risk of harm to children

The lead person will follow the guidance as set out in the Advice for organisations,

Responding to an allegation or concern.

https://www.devon.gov.uk/educationandfamilies/child-protection/managing-allegations-against-adults-workingwith-children/advice-for-organisations



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Concern raised about staff/volunteer

If a member of staff, contractor, volunteer receives an allegation or has a concern about the behaviour of a colleague /volunteer and that concern could amount to:

- A member of staff/volunteer has behaved in a way that has harmed a child; or
- Possible committed a criminal offence against or related to a child; or

• Behaved towards a child or children in a way that indicates she/he is unsuitable to work with children

Then the person should :-

Report their concern

Report their concern to the designated person. Tania Mayes

Complete a written record

The Designated Person will complete a written record of the nature and circumstances surrounding the concern

The Designated Person:

The concern will be referred to the LADO through the form before an investigation takes place. <u>https://services.devon.gov.uk/web/lado/form</u>

This is because it might meet the criminal threshold and the investigation could interfere with a police or Social Services investigation.

The LADO will offer advice on any immediate action required and will assist with employment and safeguarding issues.

The Lado will

- within one working day, have an evaluation discussion, to determine the details of the allegation, taking into account thresholds for LADO involvement
- confirm what children have safeguarded
- determine whether there is cause to suspect that a child is suffering or is likely to suffer significant harm, in which case the LADO should refer to children's social care and ask them to convene an immediate strategy meeting/discussion
- determine whether there is sufficient evidence or information that establishes that the allegation is unfounded or false
- consider what further information is needed
- consider whether suspension of the individual is indicated, if the agency/organisation has not yet made the decision
- consider what information can be shared with children and their parents or carers and when
- consider whether there are any reasons for withholding from the accused person that they have been referred to the LADO (such as where this may compromise potential criminal or disciplinary investigations or place



children at risk)

• determine whether a managing allegations strategy meeting is warranted

There are three potential outcomes from the initial referral to the LADO in terms of the investigation of allegations or concerns. These are

- The allegation is demonstrably false/unfounded and no further action is required.
- There are concerns however they are not child protection in nature but relate to the conduct of that staff member and as such, should be dealt with by the individual's employer/managers.
- A LADO managing allegations strategy meeting needs to be arranged involving other relevant professionals (including the police if it appears that an offence has been committed) within five working day

Further action

If further meetings are required the LADO will arrange these. Further information on this process can be found at Appendix 5, Working Together to Safeguard Children. (2006 published by DCSF)

If your concern is relating to the designated person then the member of staff should refer to their Line Manager who will assist in the referral or directly to the LADO or make a referral directly.

7.5 If you discover that FGM has taken place or a young person is at risk of FGM

The Department for Education's Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a young person has already been subjected to FGM, and factors that suggest a young person may be at risk, are set out in appendix 4.

Any member of staff who discovers that an act of FGM appears to have been carried out on a young person under 18 must speak to the DSL and follow our safeguarding procedures and inform the referring school.

Any member of staff who suspects a young person is *at risk* of FGM or suspects that FGM has been carried out must speak to the DSL and follow our local safeguarding procedures.

If you suspect or it is alleged that any of the above has happened or there is an immediate risk to a child, follow the same procedure under

'Procedure where abuse is suspected/alleged'.

If you have any queries or questions in relation to this procedure please contact the Devon Multi-Agency Safeguarding Hub.

7.6 If you have concerns about extremism (See Prevent policy)

If a child is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL and referring school first to agree a course of action.





If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to the referring school/or seek advice from local authority children's social care. Make a referral to local authority children's social care directly, if appropriate (see 'Referral' above).

Where there is a concern, and in conjunction with the referring school the DSL will consider the level of risk and decide which agency to make a referral to. This could include <u>Channel</u>, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which staff can call to raise concerns about extremism with respect to a young person. You can also email <u>counter.extremism@education.gov.uk</u>. Note that this is not for use in emergency situations.

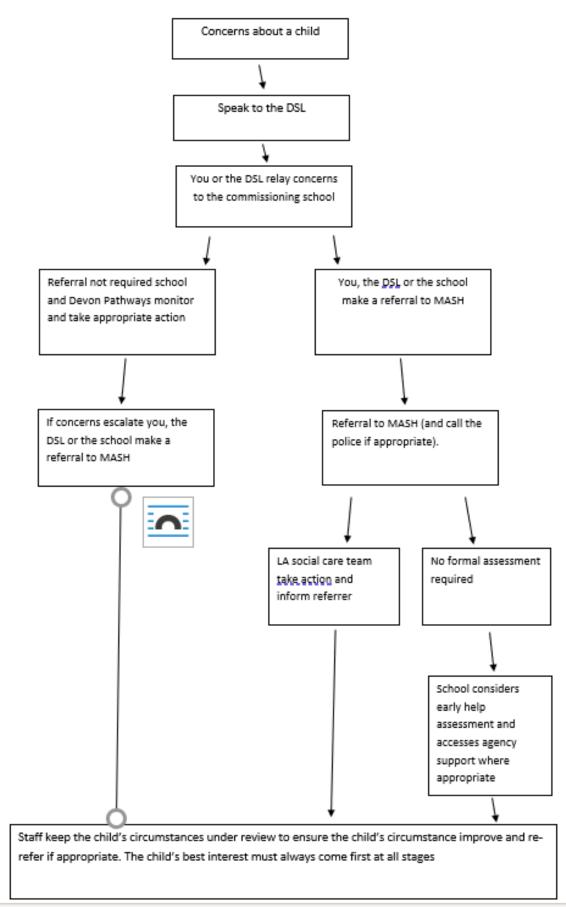
In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- · See or hear something that may be terrorist-related



Figure 1: procedure if you have concerns about a child's welfare (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)

(Note - if the DSL is unavailable, this should not delay action. See section 7.4 for what to do.)





7.7 Allegations of abuse made against other young persons

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up".

We also recognise the gendered nature of peer-on-peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously.

This child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put young persons in DevonPathways at risk
- Is violent
- Involves young persons being forced to use drugs or alcohol
- Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault or sexually inappropriate pictures or videos (including sexting). Up-skirting is now a form of peer-on-peer abuse. Definition: up-skirting is typically when a photograph is taken under a person's clothing without them knowing, for sexual gratification or to cause the victim humiliation, distress or alarm.

If a young person makes an allegation of abuse against another young person:

- You must record the allegation and tell the DSL, but do not investigate it
- The DSL will contact the referring school and/or the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

7.8 Sexting

Your responsibilities when responding to an incident

If you are made aware of an incident involving sexting (also known as 'youth produced sexual imagery'), you must report it to the DSL immediately.

You must **not**:

- View, download or share the imagery yourself, or ask a young person to share or download it. If you have already viewed the imagery by accident, you must report this to the DSL
- Delete the imagery or ask the young person to delete it
- Ask the young person(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's or referring schools responsibility)
- Share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved

You should explain that you need to report the incident, and reassure the young person(s) that they will receive support and help from the DSL.





Initial review meeting

Following a report of an incident, and in conjunction with the referring school, the DSL will hold an initial review meeting with appropriate staff. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to young person(s)
- If a referral needs to be made to the police and/or children's social care
- If it is necessary to view the imagery in order to safeguard the young person (in most cases, imagery should not be viewed)
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms (this may be unknown)
- · Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the young persons involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the young persons involved (in most cases parents should be involved)

The DSL will inform the referring school (where appropriate) and make an immediate referral to police and/or children's social care if:

- The incident involves an adult
- There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What the DSL knows about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- The imagery involves sexual acts and any young person in the imagery is under 13
- The DSL has reason to believe a young person is at immediate risk of harm owing to the sharing of the imagery (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the headteacher and other members of staff as appropriate, may decide to respond to the incident without involving the police or children's social care.

Further review by the DSL

If at the initial review stage a decision has been made not to refer to police and/or children's social care, DevonPathways will follow guidance from the referring school.

Informing parents

In consultation with the referring school the DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the young person at risk of harm.

Recording incidents

All sexting incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 12 of this policy also apply to recording incidents of sexting.

8. Notifying parents

In conjunction with the referring school and where appropriate, DevonPathways will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion or disclosure.

Other staff will only talk to parents about any such concerns following consultation with the DSL.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so.





In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

9. Young persons with special educational needs and disabilities

We recognise that young persons with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

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

10. Mobile phones and cameras

Staff will need to to bring their work phones to work. They may have personal phones, but these should not be used for any work todo with DevonPathways.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in DevonPathways.

11. Complaints and concerns about safeguarding policies

11.1 Complaints against staff

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

11.2 Other complaints

Complaints not covered in this policy can be actioned through the DEVONPATHWAYS by contacting Tania Mayes at <u>chris.kenny@devonpathways.co.uk</u>

11.3 Whistle-blowing

In the event of Whistle blowing staff should contact Tania Mayes at <u>chris.kenny@devonpathways.co.uk</u> regarding concerns regarding the way DevonPathways safeguards young persons – including poor or unsafe practice, or potential failures

12. Record-keeping

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left DevonPathways.

Records will be kept electronically and passed to the referring school

Records will also be kept as paper versions where appropriate in locked safeguarding filing cabinet with limited access or passed to the referring school.

In addition:





- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff

13. Training

13.1 All staff

All staff members will undertake safeguarding and child protection training at induction, including on whistle-blowing procedures, to ensure they understand DevonPathways's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly.

Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.

Volunteers will receive appropriate training, if applicable.

13.2 The DSL and deputy

The DSL and deputy will undertake child protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through ebulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

13.4 Recruitment – interview panels

At least one person conducting any interview for a post at DevonPathways will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and will be in line with local safeguarding procedures.

14. Monitoring arrangements

This policy will be reviewed **annually** by Tania Mayes and directors. At every review, it will be approved by directors.



These appendices are based on the Department for Education's statutory guidance, Keeping Children Safe in Education.

Appendix 1: types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse 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
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say
 or how they communicate
- Age or developmentally inappropriate expectations being imposed on children. These may include interactions that
 are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning,
 or preventing the child participating in normal social interaction
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

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
- Non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

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

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 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)
- Ensure access to appropriate medical care or treatment

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





Appendix 2: safer recruitment and DBS checks – policy and procedures

We will record all information on the checks carried out in DevonPathways. Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- Check those candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all short-listed candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual changes role from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in <u>relevant conduct</u>; or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the <u>Safeguarding Vulnerable Groups Act 2006</u> (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and





 The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list
 information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment.

Appendix 3: Allegations of abuse made against staff

This section of this policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- · 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 would pose a risk of harm to children

It applies regardless of whether the alleged abuse took place in DevonPathways sessions. Allegations against staff who is no longer in post and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the DevonPathways 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 the individual to alternative work in DevonPathways so that they do not have unsupervised access to children
- Moving the child or children to a different staff member where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location,
- · Definitions for outcomes of allegation investigations
- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive





- False: there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

In the event of an allegation that meets the criteria above where the Director is the subject of the allegation) – the 'case manager' – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. Inform the referring school where appropriate. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at DevonPathways is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate
- If immediate suspension is considered necessary, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at DevonPathways and their contact details
- If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not
 already know (following agreement with children's social care services and/or the police, if applicable). The case
 manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations
 made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to
 have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

If DevonPathways is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.



Where the police are involved, wherever possible the board will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in DevonPathways's disciplinary process, should this be required at a later point.

Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or DevonPathways ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and DevonPathways's personnel adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending DevonPathways.

Unsubstantiated or malicious allegations

If an allegation is shown to be deliberately invented, or malicious, the headteacher, or other appropriate person in the case of an allegation against the headteacher, will consider whether any disciplinary action is appropriate against the young person(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a young person.

Confidentiality

DevonPathways will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- · Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises





Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, DevonPathways will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

Learning lessons

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to DevonPathways's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

Appendix 4: specific safeguarding issues

Children missing sessions

A child going missing from education, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- Are at risk of harm or neglect
- Are at risk of forced marriage or FGM
- · Come from Gypsy, Roma, or Traveller families
- · Come from the families of service personnel
- · Go missing or run away from home or care





- Are supervised by the youth justice system
- Cease to attend a school
- Come from new migrant families

DevonPathwyas has a procedure for students missing sessions. See attendance policy

We will refer to the commissioning body children who miss sessions, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks in the future

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is suffering or likely to suffer from harm, or in immediate danger.

Child sexual exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse that occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL inform the referring school and follow the DevonPathways safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

- · Appearing with unexplained gifts or new possessions
- · Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying inappropriate sexualised behaviour
- · Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time, or regularly coming home late
- Regularly missing school or education, or not taking part in education

Serious Violence

Staff need to know the indicators which may signal that children are at risk from, or are involved with, serious violent crime. These may include

• Unexplained gifts/new possessions – these can indicate children have been approached by/involved with individuals associated with criminal networks/gangs

- Increased non attendance to sessions
- Change in friendship/relationships with others/groups
- Significant decline in performance



- Signs of self-harm/significant change in wellbeing
- Signs of assault/unexplained injuries

DevonPathways staff should also be aware of the associated risks and understand the measures in place to manage them.

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity.¹ Drug networks or gangs groom and exploit children and young people to carry drugs from urban areas to suburban and rural areas, market and seaside towns. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;

• can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;

• can be perpetrated by individuals or groups, males or females, and young people or adults; and is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare.

The DSL and deputy will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures). DevonPathways will pass any concerns to the referring school

Where a child has been harmed or is at risk of harm, the DSL will also make a referral to children's social care.

So-called 'honour-based' violence (including FGM and forced marriage)

So-called 'honour-based' violence (HBV) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBV are abuse and will be handled and escalated as such. All staff will be alert to the possibility of a child being at risk of HBV or already having suffered it. If staff have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

FGM

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a young person is at risk of FGM.

Indicators that FGM has already occurred include:

- A young person confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/young person already being known to social services in relation to other safeguarding issues

¹ Government documents for professionals on County lines



• A girl:

- Having difficulty walking, sitting or standing, or looking uncomfortable
- o Finding it hard to sit still for long periods of time (where this was not a problem previously)
- o Spending longer than normal in the bathroom or toilet due to difficulties urinating
- Having frequent urinary, menstrual or stomach problems
- Avoiding physical exercise or missing PE
- o Being repeatedly absent from school, or absent for a prolonged period
- Demonstrating increased emotional and psychological needs for example, withdrawal or depression, or significant change in behavior
- o Being reluctant to undergo any medical examinations
- o Asking for help, but not being explicit about the problem
- o Talking about pain or discomfort between her legs

Potential signs that a young person may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- · A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
 - o Having a mother, older sibling or cousin who has undergone FGM
 - Having limited level of integration within UK society
 - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
 - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
 - Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
 - Talking about FGM in conversation for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
 - o Being unexpectedly absent from school
 - Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

Forced marriage

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a young person is being forced into marriage, they will speak to the young person about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:





- Speak to the young person about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or <u>fmu@fco.gov.uk</u>
- Refer the young person to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

Preventing radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

Schools have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

We will assess the risk of children in our school being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding partners and local police force.

We will ensure that suitable internet filtering is in place, and equip our young persons to stay safe online at school and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in young persons' behaviour.

The government website <u>Educate Against Hate</u> and charity <u>NSPCC</u> say that signs that a young person is being radicalised can include:

- · Refusal to engage with, or becoming abusive to, peers who are different from themselves
- · Becoming susceptible to conspiracy theories and feelings of persecution
- · Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- · An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- · Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- · Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a young person, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Staff should **always** take action if they are worried.



Appendix 5: CP1 : Internal Safeguarding Referral Form

Please complete in full with as much detail as possible and send to DevonPathways DSL

Tania.Mayes @devonpathways.co.uk)

To be filled in by professional raising the concern or designated person.

Name of Child / Young Person / Vulnerable Adult you have concern for:

Incident details (please write legibly or type wherever possible)

Are you reporting your own concerns or passing on those of somebody else? Give details:

Brief description of what has prompted the concerns (*if possible include dates and times of any specific incidents*):

Are the signs physical, behavioural or indirect?

Please specify:





Have you spoken to the child / vulnerable adult? If so please describe what was said:

Have you spoken to the parents or carers? If so please describe what was said:

Have you consulted anybody else? Please give details:

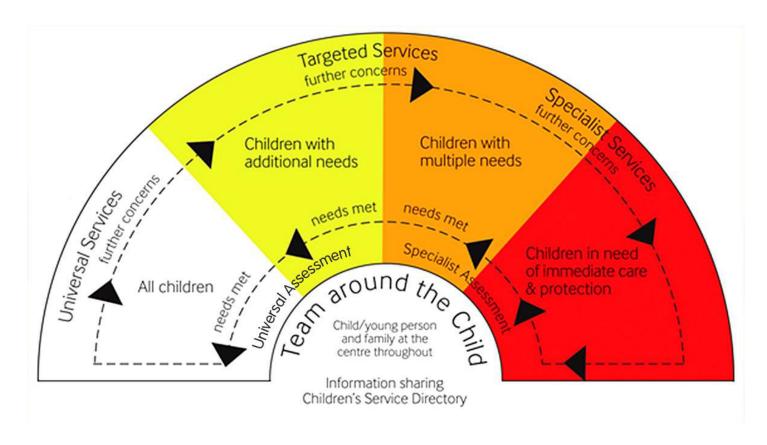


Who you are reporting this to, and the date of reporting:

Signed	Date







Full details of the criteria of assessment and the use of the threshold tool can be found at <u>https://www.dcfp.org.uk/training-and-resources/threshold-tool/</u>.

If you have serious safeguarding concerns about a child or young person, contact the Multi-Agency Safeguarding Hub (MASH) on 0345 155 1071 or email mashsecure@devon.gcsx.gov.uk.

Out of hours please call 0845 6000 388.