


# PP04

## Safeguarding Policy and Procedures

(including children, young people and vulnerable adults safeguarding and child protection, PREVENT Statement)

Details of person responsible for this policy

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Signature	<u></u>	Date	<u>Sept 22</u>
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## Staff details

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Designated Safeguarding Lead:	Samantha Beevers
Deputy Designated Safeguarding Lead(s):	Clare Cantwell

## Introduction

Montebello Training Ltd will prevent and respond to abuse and neglect by ensuring that the ethos and atmosphere of Montebello is conducive to a safe environment. Students and parents/carers will feel supported and able to report safeguarding concerns to any member of staff. Staff will feel they are supported by colleagues and the senior management team and are able to report and seek advice and guidance on any safeguarding concerns, including those regarding colleagues or themselves. We will protect all students (regardless of age) at risk of abuse or neglect by having procedures in place that reflect current legislation, guidance and best practice.

As part of our safeguarding ethos, we encourage all students, regardless of age, to respect the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. We will ensure that partisan political views are not promoted in the teaching of any subject in Montebello and where political issues are brought to the attention of the students, reasonably practicable steps will be taken to offer a balanced presentation of opposing views to pupils. We will ensure that reasonable steps are taken to ensure visitors to Montebello do not share messages with Montebello's community which are contrary to our ethos and beliefs.

Safeguarding is everybody's responsibility and, as such, this policy applies to all staff, volunteers, supply workers and self-employed staff working in Montebello. An allegation, disclosure or suspicion of abuse, or an expression of concern about abuse, could be made to any member of staff, not just those with a teaching or welfare-related role. Similarly, any member of staff may observe or suspect an incident of abuse.

## Child Protection Statement

Montebello Training Ltd is committed to safeguarding all students and promoting their welfare and expects all staff, volunteers, supply and self-employed staff to share this commitment and maintain a vigilant and safe environment. Everyone has a responsibility to act immediately to protect all students by reporting anything that might suggest a student is being abused or neglected. It is our willingness to work safely and challenge inappropriate behaviours that underpins this commitment. Montebello seeks to work in partnership with families and other agencies to improve the outcomes for all students who are vulnerable or in need.

*'Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play. In 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.'* (KCSiE DFE 2022)

## Definitions

**Child** - A child includes everyone under the age of 18. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.

**Students** - Throughout this policy reference is made to 'all students', this encompasses all children up to the age of 18 years (18th birthday) whether living with their families, in state care or living independently and adults on courses with us who's ages can run from 18 to 40+ and might be classed as vulnerable.

**Child Protection** - Part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

**Safeguarding Children** - *'Action should also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk.'*

*Safeguarding and promoting the welfare of children is defined as protecting children from maltreatment; preventing impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.'* (DfE 2022)

**All forms of abuse** - Abuse is a form of maltreatment of another person (regardless of their age). Somebody may abuse or neglect a child or young person by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults, or another child or children. All forms of abuse are covered with this definition.

Further information regarding the signs and indicators of abuse are set out in the DfE guidance Keeping Children Safe in Education (DfE 2022).

## Policy Aims

- To ensure Montebello Training Ltd takes appropriate action, in a timely manner, to safeguard and promote the welfare of all children.
- To ensure responsibilities and procedures are fully understood and that everyone can recognise signs and indicators of abuse or neglect and respond to them appropriately.
- To ensure that Montebello's practice meets local and national guidance and all statutory requirements are in place.

## Key principles

- The child's needs and welfare are paramount. All children have a right to be protected from all forms of abuse and have their welfare safeguarded.
- Keeping Children Safe in Education (DfE 2022) reminds us that all staff should maintain an attitude of *"it could happen here"* where safeguarding is concerned.

- Children should be listened to and their views and wishes should inform any assessment and provision for them. Staff should always act in the interests of the child, in order to protect them.
- Montebello recognises that scrutiny, challenge and supervision are key to safeguarding children.
- Montebello is committed to working with other agencies to provide early help for children before they become at risk of harm or require a 'child in need' statutory assessment. *'Early Help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years.'* (DfE 2022)
- All staff should be aware of the early help process and understand their role in it. This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.
- *'All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.'* (KCSiE, DfE 2022)
- All staff have responsibility to report their concerns about a child **without delay** to the Designated Safeguarding Lead. Whilst the Designated Safeguarding Lead will normally make referrals to Children's Services, **anyone** can refer their concerns to children's social care directly in emergencies or if they feel they need to do so.
- Everyone has responsibility to escalate their concerns and 'press for reconsideration' if they believe a child's needs remain unmet or if the child is failing to thrive and in need or if the child is at risk of harm. Concerns about a child should always lead to help for a child at some point and the child's situation should improve.
- Montebello will work in partnership with other agencies to promote the welfare of children and protect them from harm, including the need to share information about a child in order to safeguard them. *'Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.'* Working Together to Safeguard Children (DfE 2018)
- Montebello will work with other agencies to ensure any actions that are part of a multi-agency coordinated plan are completed in a timely way.
- Montebello will follow the Local Authority and the Local Safeguarding Children Partnership procedures and provide them with information as required.
- Staff, children and families will need support following child protection processes being followed.
- Children have a right to learn ways to keep themselves safe from harm and exploitation.

## Legislation and Guidance

Schools and colleges must have regard for the DfE statutory guidance 'Keeping Children Safe in Education' (DfE 2022). **This child protection/safeguarding policy should be read alongside this statutory guidance and all staff must read and understand at least part 1 and annexe A of this guidance.**

Local authorities have a duty to make enquiries under **section 47** of the **Children Act 1989** if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, to enable them to decide whether they should take any action to safeguard and promote the child's welfare. There may be a need for immediate protection whilst the assessment is carried out.

A 'child in need' is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services; or a child who is disabled. A social worker will lead and co-ordinate any assessment under **section 17** of the Children Act 1989.

**Section 175** of the **Education Act 2002** places a duty on local authorities (in relation to their education functions, and governing bodies of maintained schools and further education institutions, which include sixth-form colleges) to exercise their functions with a view to safeguarding and promoting the welfare of children who are pupils at a school, or who are students under 18 years of age attending further education institutions. The same duty applies to independent schools (which include Academies and free schools) by virtue of regulations made under **section 157** of the same Act.

'Working Together to Safeguard Children' (DfE 2018) provides additional guidance which makes it clear that protecting children from harm and promoting their welfare depends upon a shared responsibility and effective joint working between different agencies:

*Everyone who works with children has a responsibility for keeping them safe. No single practitioner can have a full picture of a child's needs and circumstances and, 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.*

In addition, Working Together to Safeguard Children also reinforces the need to take action to provide early help before statutory services are required:

*'Providing early help is more effective in promoting the welfare of children than reacting later. Early Help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years.'* Working Together to Safeguard Children, DfE 2018

Montebello therefore understands its responsibility to engage with other professionals in Early Help Assessments when a child's needs according to the Local Safeguarding Children Partnership's Responding to Need and Level of Needs framework sit below the requirement for a statutory assessment.

## **PREVENT**

**The Counter-Terrorism and Security Act 2015** places a duty upon local authorities and educational providers to 'have due regard to the need to prevent people from being drawn into terrorism'.

The DfE has provided statutory guidance for schools, child care providers and educational providers: '**The Prevent Duty**' (June 2015). The guidance summarises the requirements in terms of four general themes: risk assessment, working in partnership, staff training and IT policies.



Montebello will ensure that staff are aware of the indicators of extremism and radicalisation and know how to respond in keeping with local and national guidance. Staff will use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include making a referral via Children's Services to the Channel programme. Equally students will be made aware of the risks and support available to them. We will ensure that children are safe from terrorist and extremist material when accessing the internet in Montebello. The Government has developed an 'educate against hate' website providing information and resources for schools and parents to support them to recognise and address extremism and radicalisation in young people. Given Liverpool is a priority area, staff can seek additional advice from the Local Authority's Prevent Coordinator or Local Authority's Prevent Education Officer.

**'Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015)** places a statutory duty upon **teachers** along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18.

Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information](http://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information).

*Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should also still consider and discuss any such case with the school or college's designated safeguarding lead and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. (DfE 2020)*

Montebello will also consult the government guidance **Multi-agency statutory guidance on female genital mutilation** (revised 2016).

In addition, Montebello recognises the important role we have in safeguarding children from Forced Marriage. (The Forced Marriage Unit has published **Multi-agency guidelines**, with pages 32-36 focusing on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information. Contact: 020 7008 0151 or email: [fmu@fco.gov.uk](mailto:fmu@fco.gov.uk).)

Early years providers have a duty under section 40 of the **Childcare Act 2006** to comply with the welfare requirements of the **Statutory Framework for the Early Years Foundation Stage**. The **Teachers' Standards** (DfE 2013) also requires all teachers to 'uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside the educational setting, including:

- Treating students with dignity, building relationships rooted in mutual respect, and always observing proper boundaries appropriate to a teacher's professional position.

- Having regard for the need to safeguard students' well-being, in accordance with statutory provisions
- Showing tolerance of and respect for the rights of others

In addition, the **Sexual Offences Act 2003** makes it clear that all members of staff are in a position of trust and would therefore be committing a criminal offence to have a sexual relationship with a young person below the age of 18, even if that pupil is over the age of consent. In addition, it would be a breach of trust to have a relationship with any student of school age over the age of 18.

### **Montebello and this policy also take account of relevant DFE guidance.**

Additional DFE/Gov guidance can be found here:

<https://www.gov.uk/topic/schools-colleges-childrens-services/safeguarding-children>

## **Communicating with parents and visitors**

Montebello is committed to the principles of Working Together to Safeguard Children which states that a *'child centred approach is fundamental to safeguarding and promoting the welfare of every child. A child centred approach means keeping the child in focus when making decisions about their lives and working in partnership with them and their families.'*

Parents/carers are made aware through the student information pack that our policies are available and are displayed on the kitchen noticeboard.

The names and photographs of the Designated Safeguarding Lead and those who deputise for them are displayed with the policies on the kitchen noticeboard.

## **Roles and responsibilities**

### **All staff (and volunteers) should**

- Contribute to ensuring students learn in a safe environment.
- Maintain the belief that *'it could happen here'*.
- Read and understand as a minimum Part 1 and Annexe A of the DFE (2022) guidance Keeping Children Safe in Education and engage in training which enables them to identify children who may need additional help or who are suffering or likely to suffer significant harm and take appropriate action. Staff should have an understanding of the specific safeguarding issues outlined in part 1 and Annexe A of the DFE (2022) guidance Keeping Children Safe e.g. fabricated or induced illnesses, faith abuse. Staff should be aware that behaviours linked to drug taking, alcohol abuse, truanting and sexting can put children in danger. Staff should be alert to the signs of child on child abuse and take appropriate action.
- Recognise that any child may benefit from early help, but all 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 in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- Is frequently missing/goes missing from care or from home
- Is 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 drug and alcohol misuse, 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
- Be aware that safeguarding incidents and/or behaviours can be associated with factors outside of Montebello and/or can occur between children outside of this environment. All staff should consider whether children are at risk of abuse or exploitation in situations outside of their family home. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.
- Be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Staff 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.
- Understand that where children have suffered abuse or neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. All staff should be aware of how these experiences can impact on a child's mental health, behaviour and education. Understand that all staff play an important part in working to prevent sexual harassment, online sexual abuse and sexual violence between children.
- Report any concerns about a child's welfare without delay to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead or in their absence a senior member of staff.
- Ensure that they record their concerns using the centre's agreed reporting procedure, which is to either speak to, or email, the Designated Safeguarding Lead. If raising concerns in person directly with the DSL, this should be followed up with an email. Written/emailed records should always be written in a contemporaneous fashion. Records will note the difference between fact and opinion. The child's voice will be made clear.
- Ensure that concerns relating to children remain confidential and are only shared with the appropriate safeguarding staff.
- Understand that any member of staff can make a referral to children's services should that be required, informing the Designated Safeguarding Lead of any action taken.
- Report any concerns without delay about the behaviour of an adult towards a child to the Managing Director, Designated Safeguarding Lead or deputy or if required the Local Authority Designated Officer for Allegations against Staff.
- Understand their responsibility to escalate their concerns and 'press for reconsideration' if a child remains at risk or their needs are not met. This includes the understanding that any member of staff can make a referral to Children's Services if required to do.
- Teachers and those providing teaching **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out.

- Follow Montebello's policies including this safeguarding policy and the code of conduct for adults and the [Guidance for Safer Working Practices for Adults Working with Children](#) (2019)
- Be aware safeguarding issues can manifest themselves via child on child abuse.
- Understand that it may be appropriate to discuss with the Managing Director matters outside of work, which may have implications for the safeguarding of children in the workplace. This includes information about themselves. Staff will ensure that they are aware of the circumstances where this would be applicable.
- Be aware that behaviour by themselves, those with whom they have a relationship or association, or others in their personal lives (in or out of the centre or online), may impact on their work with children.
- Be aware that if their role is within the scope of the Childcare Act 2006 and they commit a relevant offence that would appear on their DBS certificate or they become disqualified under the Childcare Act 2006, then they must inform their head teacher.
- Be aware that they should inform their managing director of any cautions, convictions or relevant order accrued during their employment, and/or if they are charged with a criminal offence.
- Understand that some children, including those with Special Educational Needs or Looked After, may be more vulnerable to abuse.
- *'Children with special educational needs and disabilities (SEND) or certain health conditions can face additional safeguarding challenges. This can include:*
  - *assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;*
  - *these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;*
  - *the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and*
  - *communication barriers and difficulties in overcoming these barriers.'* (DfE 2022)

The DfE has provided additional practice guidance 'Safeguarding Disabled Children' DfE 2009.

- Have access to Montebello's staff disciplinary procedures and whistle blowing policy. (The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).)
- Have access to **What to do if you are worried a child is being abused 2015: Advice for practitioners** (DfE 2015)

Understand that any indication of failure to follow any of the procedures set out within this policy will lead to a formal investigation by Montebello.

#### **The Managing Director will ensure that:**

- The Single Central Record is up to date and the safer recruitment practices set out in Keeping Children Safe in Education (DfE 2022) are followed in line with Montebello's Safer Recruitment Policy and Procedures. At least one member of every recruitment panel has attended safer recruitment training.
- Job descriptions and person specifications for all roles make specific reference to child protection and safeguarding.
- There is a listening culture within Montebello where both staff, students or parents/carers can raise concerns about poor or unsafe practices.

- Referrals are made to the Disclosure and Barring Service and/or the Teaching Regulation Agency as appropriate.
- They liaise with the Local Authority Designated Officer (LADO) where an allegation is made against a member of staff.
- The Designated Safeguarding Lead has a job description in keeping with the requirements of Keeping Children Safe in Education (DFE, 2022) and that sufficient time, training and support are allocated to this role, including the appointment of colleagues able to deputise for the Designated Safeguarding Lead who have undertaken the same training.
- The scheme of work provides opportunities to help students stay safe especially when on-line. Students should be aware of the support available to them.
- They quality assure Montebello's child protection practices including the auditing of safeguarding records and the supervision of the Designated Safeguarding Lead and other members of the safeguarding team to ensure that actions and decisions are reviewed appropriately, and that staff's emotional needs are met.
- Montebello meets its responsibilities under the Prevent Duty including ensuring there are reasonable checks made on visiting speakers and monitoring and filtering is in place across the IT systems. All staff have had opportunity for Prevent training either through face to face training or access to online resources:

<https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>

Keeping Children Safe in Education 2022 sets out the broad areas of responsibility for the Designated Safeguarding Lead. These are detailed below.

## **Manage referrals**

The designated safeguarding lead is expected to:

- Refer cases of suspected abuse to the local authority children's social care as required;
- Support staff who make referrals to local authority children's social care;
- Refer cases to the Channel programme where there is a radicalisation concern as required;
- Support staff who make referrals to the Channel programme;
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- Refer cases where a crime may have been committed to the Police as required.

## **Work with others**

The designated safeguarding lead is expected to:

- Act as a point of contact with the three safeguarding partners;
- Liaise with the managing director to inform her of issues-especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- As required, liaise with the "case manager" (as per Part four) and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- liaise with staff 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.

## Undertaking training

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. The designated safeguarding lead should undertake Prevent awareness training. Training should provide designated safeguarding leads with a good understanding of their own role, and the processes, procedures and responsibilities of other agencies, particularly children's social care, 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;
  - Understand the importance of the role the designated safeguarding lead has in providing information and support to children social care in order to safeguard and promote the welfare of children;
  - Understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes;
  - Are alert to the specific needs of children in need, those with special educational needs and young carers;
  - Ensure each member of staff has access to, and understands, Montebello'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;
  - Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation.
  - Understand the importance of information sharing, within Montebello, and with other agencies, organisations and practitioners.
  - Can keep detailed, accurate, secure written records of concerns and referrals.
  - Understand and support Montebello with regards to the requirements of the Prevent duty and can provide advice and support to staff on protecting children from the risk of radicalisation.
  - Can 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 Montebello may put in place to protect them.
- In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

## **Raise Awareness**

The designated safeguarding lead should:

- Ensure the safeguarding policies are known, understood and used appropriately;
- Ensure the policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with senior manager regarding this;
- Ensure the policy is available publicly and parents know referrals about suspected abuse or neglect may be made and the role of Montebello Training in this; and
- Help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with tutors and senior management. Their role could include ensuring that their staff know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.

## **Holding and sharing information**

The designated safeguarding lead should be equipped to:

- Understand the importance of information sharing, both within Montebello, and with other schools and colleges on transfer including in-year and between primary and secondary education, and with the safeguarding partners, other agencies, organisations and practitioners;
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR); and
- Be able to keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.

## **Child protection file**

Where children leave Montebello (including for in year transfers) the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and SENCOs or the named person with oversight for SEN in colleges, are aware as required.

In addition to the child protection file, the designated safeguarding lead should also consider if it would be appropriate to share any information with the new school or college 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.

## **Understanding the views of children**

Understanding the views of children is essential to respond appropriately to their needs. It is important that children feel heard and understood. The designated safeguarding lead will be supported in developing knowledge and skills to:

- Encourage a culture of listening and taking account of children's wishes and feelings, among all staff, and in any measures put in place to protect them; and
- Understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusting relationships which facilitate communication.

## **Availability**

During term time the designated safeguarding lead (or a deputy) should always be available (during opening hours) for staff in Montebello to discuss any safeguarding concerns. Whilst generally speaking the designated safeguarding lead (or deputy) would be expected to be available in person, it is a matter for individual educational settings, working with the designated safeguarding lead, to define what "available" means and whether in exceptional circumstances availability via phone and or Skype or other such media is acceptable.

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

According to Local Guidance it is expected that the Head Teacher/Managing Director will be the case manager for any allegations against staff and make referrals to the Disclosure and Barring Service or Teaching Regulation Agency.

### **In addition to the role outlined in Keeping Children Safe the Designated Safeguarding Lead is also expected to ensure that:**

- The social worker is notified if a child subject to a child protection plan is absent without explanation.
- The social worker is informed when a child subject to a child protection plan or a child in need plan moves to a new setting.
- A training log is kept of all child protection training include the names of those attending. All staff must have regular training and updates.
- Child protection records are kept securely and separately from the child's normal file. Records will be transferred and/or retained in keeping with the Local Authority's and NSPCC guidance.
- Montebello attends and contributes to child protection case conferences and child in need meetings, ensuring actions are completed in a timely manner. Montebello will complete the LSCP agency report ahead of each child protection conference.
- Montebello escalates its concerns with other agencies when a child's needs are not being met following the Local Safeguarding Children Partnership Escalation and Resolution Policy.
- All members of the safeguarding team have received appropriate training; that all referrals made are quality assured and that regular safeguarding supervision is provided to the safeguarding team to monitor all decisions and action taken and the well-being of each team member.



- All staff read and understand part 1 and annexe A of the DfE (2022) guidance Keeping Children Safe in Education and make available to them other key documents and guidance.
- Montebello has an appropriately trained member of staff to in order to fulfil its obligations under Operation Encompass, and that Montebello's commitment to Operation Encompass is known throughout the Montebello community via the means of staff training, parental letters, posters and the website.

## **Safeguarding Framework**

In addition to this child protection policy Montebello has procedures or policies in relation to other areas for safeguarding children including as examples:

- Attendance
- Behaviour / anti-bullying (including cyber bullying)
- Code of conduct for staff, supply and self-employed staff and volunteers (guidance on safer working practices)
- Looked After Children
- Educational visits
- GDPR/data protection
- Drug and substance misuse
- Evacuation and lock-down procedures (including site security)
- First aid
- On-line safety
- Health & safety
- Safe recruitment practices
- Disciplinary policy (managing allegations against staff and volunteers)
- Equality & diversity (including disability statement)
- Taking and using photographs
- Whistleblowing

## **Training and Induction**

All staff and volunteers working in Montebello must be given a copy of the Child Protection policy immediately upon starting work at Montebello as part of their induction. All staff and volunteers working in Montebello must complete safeguarding training appropriate to their role as part of their induction and at a minimum of annually thereafter. Whole company safeguarding training (including Prevent) is delivered to all staff annually via online courses.

Designated Safeguarding Lead and deputies must complete safeguarding training relevant to their role. This level of training must be refreshed at least every two years, with further safeguarding training to be accessed on a minimum of an annual basis as best practice. This is to ensure designated staff have appropriate, up to date knowledge and skills which will enable them to identify concerns and make decisions that support the safety of the students and staff in Montebello.

All staff have had the opportunity for Prevent training either through face to face training or access to online resources:

<https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>

Montebello will keep a safeguarding training log evidencing the training attended by the different groups of staff/managers.

## Procedures for reporting child protection or child welfare concerns

- Members attending Montebello have a statutory duty to safeguard and promote the welfare of children and young people. Staff and managers should not investigate possible abuse or neglect themselves. They should escalate the issue through the appropriate channels.
- All concerns should be reported without delay directly to the Designated Safeguarding Lead, Designated Safeguarding Deputies or Managing director. This should be followed by a written/emailed account of the concerns to the DSL.
- Consideration will need to be given to immediately protecting the child and contacting the police and/or ringing for an ambulance if the child is injured.
- The Designated Safeguarding Lead or Deputy Designated Safeguarding Lead will take immediate action and will make a referral to children's services by telephone if a child is believed to be suffering or likely to suffer significant harm. This referral will always be followed up in writing.
- Children's Services contact details are as follows:
  - **Liverpool** Careline Hub 0151 233 3700
  - **Halton** Social Care Contact Centre 0151 907 8305 (Out of hours 0345 050 0148)
  - **Knowsley** MASH 0151 443 2600
  - **Sefton** 0345 140 0845 (Out of hours 0151 934 3555)
  - **St Helens** Contact Centre 01744 676 600
  - **Warrington** 01925 443322 (Out of hours 01925 444400)
  - **Wigan** Duty Team 01942 828300 (Emergency out of hours duty 0161 834 2436)
  - **Wirral** Integrated Front Door 0151 606 2008 (Out of hours 0151 677 6557)
- The Designated Safeguarding Lead or Deputy Designated Safeguarding Lead will follow the LSCP and Local Authority multi-agency procedures and consider the child's needs alongside the LSCP's Levels of Needs/Responding to Needs Framework (Threshold document) and consider whether an early help assessment or referral to children's services is needed.
  - **Liverpool** <https://liverpoolscb.proceduresonline.com/>
  - **Halton** [www.proceduresonline.com/pancheshire/halton/index.html](http://www.proceduresonline.com/pancheshire/halton/index.html)
  - **Knowsley** [www.knowsleyscb.org.uk/professionals/multi-agency-procedures/](http://www.knowsleyscb.org.uk/professionals/multi-agency-procedures/)
  - **Sefton** <https://seftonlscb.safeguardingpolicies.org.uk/may-2017/procedures-manual/1-introductionlevel-of-need>
  - **St Helens** <https://sthelensscb.proceduresonline.com/index.htm>
  - **Warrington** [www.proceduresonline.com/pancheshire/warrington/index.html](http://www.proceduresonline.com/pancheshire/warrington/index.html)
  - **Wigan** [www.wigan.gov.uk/WSCB/index.aspx](http://www.wigan.gov.uk/WSCB/index.aspx)
  - **Wirral** [www.wirral safeguarding.co.uk/procedures/](http://www.wirral safeguarding.co.uk/procedures/)
- The Designated Safeguarding Lead or Deputy is able to refer to an online tool which helps professionals assess a child's level of need and decide which method of referral they should complete (EHAT or MARF). The online 'Levels of Need Slider' tool can be accessed here: <https://liverpool.gov.uk/referrals/childrens-social-care-referrals/assess-a-child-s-levels-of-need/>
- Concerns about a child should always lead to help for a child. Montebello may need to escalate its concerns with Children's Services to ensure a referral is accepted or work with other agencies to ensure an Early Help Assessment is completed.

- Montebello will always seek to follow the Local Safeguarding Children Partnership procedures which can be found on their website:
- If Montebello does not receive feedback within one working day regarding the outcome of a referral made to Children's Services, the Designated Safeguarding Lead will contact Children's Services immediately to determine the outcome of the referral.

Part 1 of Keeping Children Safe in Education (DFE 2022) provides key flowcharts and guidance to support staff and volunteers' understanding and decision making. This will support staff to make a referral themselves should that become necessary. The Designated Safeguarding Lead should be informed, as soon as possible, following the need for another member of staff to make a referral.

Guidance about indicators of abuse and harm and how to respond to a disclosure is available on the NSPCC website: <https://www.nspcc.org.uk/preventing-abuse/>

If a teacher in the course of their work in the profession, discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18 the teacher must report this to the police. Keeping Children Safe in Education provides additional guidance.

Concerns that a child is being radicalised should follow the normal safeguarding referral mechanism with an additional Channel or Prevent referral being made to the Local Authority's Prevent and Channel team.

### **Process to follow if a child makes a disclosure**

If a child makes a disclosure of abuse, staff should:

- Listen and keep calm. Do not interrupt/promise the child that they will keep the matter confidential. Explain to the child who they will need to tell and why
- Observe visible bruises and marks, but should not ask a child to remove or adjust their clothing to view them
- Keep questions to a minimum as their role is not to investigate. If staff need to ask questions in order to ascertain whether this is a safeguarding concern, they should ensure they are open questions
- Use the "TED" model for asking open ended questions: "Tell me about that", "Explain that to me", "Describe that"
- Make a record of what has been said immediately afterwards in words used by the child and the member of staff to the best of their memory. Use capital letters for the child's words to help distinguish between the two.
- Note anything about the child which is connected i.e. any visible injuries including the position and description, the demeanour of the child i.e. crying, withdrawn etc.
- Clearly indicate whether fact, opinion or third-party information
- Report the matter immediately to the Designated Safeguarding Lead
- Seek advice from the Designated Safeguarding Lead if in doubt

Staff should not:

- Ask leading questions, put words into the child's mouth or press for details
- Rush the child
- Examine the child
- Investigate
- Promise confidentiality

- Summarise or use your own words to describe events
- Delay sharing the information with the Designated Safeguarding Lead

## Operation Encompass

Montebello actively engages with the Operation Encompass programme. The police will alert the company of incidents of domestic abuse and the DSL/Deputy DSL will make contact with the pupil in order to check that they are safe and well.

## Confidentiality, information sharing, record transfer and record keeping and retention

Montebello recognises that all matters relating to child protection are confidential. The Managing Director, Designated Safeguarding Lead and/or Deputy will disclose any information about a child to other members of staff on a 'need to know basis' only. Guidance about sharing information can be found in the 2018 document "***Information Sharing: Advice for Practitioners providing safeguarding services to children, young people, parents and carers 2018***". Montebello understands the need to keep child protection and safeguarding records securely. Child protection and safeguarding information is stored on a password encrypted document, the password for which is known only to the DSL and the Managing Director (Deputy DSL). Paper records are kept securely in a locked filing cabinet.

Montebello will aim to seek consent of parents before sharing information with other agencies, however legislation states that schools and other agencies can share information without the consent of a parent/carer in particular circumstances.

Montebello pays due regard to the relevant data protection principles which allow us to share personal information, as provided for in the **Data Protection Act 2018** and the **General Data Protection Regulation** (GDPR). Montebello is aware of the processing conditions under the Data Protection Act 2018 and the GDPR which allow Montebello to store and share information for safeguarding purposes, including information which is sensitive and personal, and this is treated as '*special category personal data*'. Where Montebello would need to share special category personal data, we are aware that the Data Protection Act 2018 contains '*safeguarding of children and individuals at risk*' as a processing condition that allows us to share information. This includes allowing Montebello to share information without consent, if it is not possible to gain consent, it cannot be reasonably expected that we can gain consent, or if to gain consent would place a child at risk.

Montebello will transfer records securely to the next setting and discuss the child's needs before the child starts at the next setting. The Designated Safeguarding Lead will speak to their counterpart in the school/college to which the child is transferring in order to ensure that they are aware that the file is to be transferred. Upon confirmation of the child starting on roll the file should be transferred as soon as possible (within 15 working days), but separately to the main file. The file should be signed upon receipt and delivered by hand wherever possible.

Montebello will retain records in keeping with Local Authority guidance and NSPCC guidelines: <https://www.nspcc.org.uk/globalassets/documents/information-service/child-protection-records-retention-and-storage.pdf>. This in turn references the Information and Records Management Society (IRMS) [Information management toolkit for schools 2019](#).

**Additional child protection guidance will be provided to all adults working with young people which will include:**

- Montebello's child protection policy which includes the role of the Designated Safeguarding Lead
- Part 1 and Annexe A of Keeping Children Safe in Education (DfE 2022)
- Montebello's Code of Conduct for staff and volunteers
- Montebello's behaviour policy for students
- Guidance for Safer Working Practices for Adults Working with Children (Safer Recruitment Consortium 2019)
- A flowchart summarising the child protection procedures
- Definitions of abuse or neglect and possible indicators
- Identified groups of children more vulnerable to abuse
- Specific guidance related to including Female Genital Mutilation, Forced Marriage, Child Exploitation including sexual and criminal, Extremism and Radicalisation, Neglect and online- safety
- Dealing with allegations against staff and volunteers' procedures
- Whistleblowing procedures
- 'What to do if you are worried a child is being abused: Advice for practitioners' DfE 2015
- Additional information re SEN/Disability, issues regarding neglect, attendance, etc is signposted to staff, and is situated in the safeguarding folder on the resources drive.

### **Managing allegations against adults (including all staff, supply/self-employed staff and volunteers) working at Montebello**

Montebello's staff and other adults working at Montebello will be aware of and work within the company Code of Conduct and other relevant policies and procedures. The Staff Code of Conduct includes guidance for staff regarding Montebello's expectations of the use of mobile phones, electronic equipment and social media.

All staff and volunteers must report any concerns about a member of staff's behaviour towards children (including supply staff and volunteers) to the Managing Director who will act as the case manager. Concerns can also be discussed with the Designated Safeguarding Lead. Concerns about the managing director should be raised with the company directors.

Local Safeguarding Children Partnership multi-agency procedures will be followed in all cases where it is alleged that a member of staff has:

- 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's behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

Montebello's managing allegations against staff and volunteer's policy and procedures will support everyone to take appropriate action. This includes a flowchart to guide colleagues thinking.

In some circumstances, Montebello will have to consider an allegation against an individual who is not directly employed by the organisation and where our disciplinary procedures do not fully apply (for example supply teachers). Whilst Montebello is not the employer of the individual, we still have responsibility to ensure allegations are dealt with properly and will liaise where appropriate with relevant parties. Montebello will not cease to use the services of a supply teacher as a result of safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome.

Concerns can also be taken directly to the Local Authority Designated Officer (LADO), if needed, via Children's Services.

Section 4 of the DFE guidance Keeping Children Safe in Education provides further guidance. In addition to Montebello's own procedures, multi-agency procedures are available from Montebello.

There are occasions when a person who works with children behaves in a way that is concerning and raises questions about their ability to recognise and take steps to safeguard children in their care that may not always meet the threshold of LADO. As an employer Montebello has a duty to consider whether the issue indicates that they are unsuitable to continue in their role for the immediate future or indefinitely. These are known as issues of suitability and, if not being dealt with under the managing allegations procedures, would be dealt with via Montebello's disciplinary procedures. Issues of suitability can include:

- Where an employee is being investigated for an offence against an adult, or behaviour in their personal lives brings into question their suitability to work with children

However if an adult who works with children has involvement from Children's Services in respect of their own child, or a child that they live with or have contact with, it is the responsibility of Children's Services to assess the immediate concern and inform the LADO of whether the adult poses a risk to children. Examples of this may include:

- Allegations of assault, physical or emotional, on their own child or on a child they live with or have contact with
- Substance misuse
- Lives with or is in a relationship with a person who is identified as a risk to children

The situation would meet the threshold of LADO should the child in question be made subject to a Child Protection plan. This is because Children's Services has determined that the adult presents a risk to the associated child either directly or due to a failure to protect.

Montebello Training will incorporate all allegations in discussions for 'lessons learned' whether they are concluded and substantiated or not.

## **Low Level Concerns**

Montebello recognises that there may be times when there are concerns about a professional's behaviour which do not meet the harm threshold as set out in section 15 of this policy. This includes third party staff and volunteers. Concerns such as this may arise in several ways and from a number of sources. Examples of this may be:

- Suspicion, complaint or disclosure made by a child, parent or other adult within or outside of our centre; or

- As a result of vetting checks undertaken during recruitment

Montebello promotes an open and transparent culture in which all concerns about adults working in or on behalf of Montebello are dealt with promptly and appropriately. Creating this culture in which all concerns are shared responsibly, in a timely way with the right person, and are recorded and dealt with appropriately is critical to effective safeguarding practice. This culture enables Montebello to identify concerning, problematic or inappropriate behaviour at the earliest possible stage, minimises the risk of abuse and ensures that all adults working in or on behalf of Montebello are clear about professional boundaries and act within these, in accordance with our ethos and values. This culture also empowers individuals to share concerns with key staff about their own behaviour at the earliest possible opportunity.

The term 'low level concern' does not mean that the behaviour is insignificant. It means a behaviour towards a child which does not meet the threshold set out in section 15 of this policy and part 4 of Keeping Children Safe in Education 2022. A low level concern is any concern (no matter how small, and even if no more than causing a sense of unease) that an adult working in or on behalf of the centre may have acted in a way that:

- Is not consistent with the staff code of conduct, including conduct outside of the workplace, and/or
- Does not meet the allegations threshold or is otherwise not considered serious enough for a referral to the LADO.

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

- Being over friendly with children;
- Having favourites;
- Taking photographs of children on their mobile phone;
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- Using inappropriate sexualised, intimidating or offensive language.

Behaviours which are not consistent with the standards and values of Montebello, and which do not meet the expectations set out in our code of conduct for staff, must be addressed. Behaviours such as this, can exist on a spectrum from 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.

It is essential that concerns such as this are shared responsibly and with the right person, and that they are recorded and dealt with appropriately. Effective reporting and management of such concerns also protects staff from potential false allegations of misunderstandings. Concerns should be shared as soon as is reasonably possible, and ideally within 24 hours of becoming aware of a problem, however it is never too late to share a concern.

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or may appear compromising to others. Equally, a member of staff may have behaved in a manner which, on reflection, they consider to fall below the standards set out within our code of conduct for staff. Self-reporting such circumstances is actively encouraged as it allows issues to be dealt with at the earliest opportunity and it is an important means of maintaining our culture of everyone aspiring to have the highest standards of conduct and behaviour.

Staff do not need to be able to determine whether their concern is a low level concern, or if it would be dealt with under our managing allegations policy. Staff must simply be empowered to share their concern. The determination regarding process will be made by the designated safeguarding lead and managing director.

Low level concerns should be reported in writing to the designated safeguarding lead. Where a low level concern is in relation to the designated safeguarding lead, it should be shared with the managing director.

If a report of a low level concern is received, it will be dealt with responsively, sensitively, and proportionately. Where a concern is reported, the designated safeguarding lead should collect as much evidence as possible by speaking directly with the person who raised the concern (unless it has been raised anonymously), and by speaking to the individual involved along with any witnesses. The information collected will help to categorise the behaviour and determine what further action may need to be taken. Support and advice will be provided to ensure any identified behaviours can be corrected at an early stage.

All low level concerns will be recorded in writing by the designated safeguarding lead and this record should include the details of the concern, the context and the action taken, including the rationale for any decisions. Records must be kept confidential and held securely in line with the Data Protection Act 2018 and the UK General Data Protection Regulation. Records will be kept in individual personnel files and will be retained for the duration of the individual's employment. Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, Montebello will decide on a course of action either through our disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, referral to LADO.

The designated safeguarding lead will regularly and effectively communicate with the managing director, all low level concerns reported to them, along with the outcome of the concern. This is to ensure there is appropriate scrutiny and analysis of information in order to agree at what point a series of low level concerns or a pattern of behaviour would escalate and meet the threshold set out in section 15 of this policy and part 4 of Keeping Children Safe in Education 2022. The managing director and DSL meet daily and will discuss any concerns as they arise.

Low level concerns will not be included in references unless they relate to an issue which would normally be included in a reference. Paragraph 423 of Keeping Children Safe in Education specifies: *"However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference."*

### **Allegations of abuse against another student (child on child abuse)**

Staff must recognise that children are capable of abusing their peers, and that not all children will find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Victims will never be given the impression that they are creating a problem by reporting an incident and they will never be made to feel ashamed or their experience minimised.



Staff must act on the assumption that children may be experiencing sexual violence or harassment, even if there are no specific reports of such behaviour. Staff must ensure that they challenge any form of derogatory and sexualised language or behaviour. Staff should be vigilant to sexualised/aggressive touching/grabbing, particularly towards girls or other vulnerable groups of children. Behaviours by children should never be passed off as 'banter', 'having a laugh' or 'part of growing up' as this can lead to an unsafe culture which normalises abuse and inappropriate behaviours and can lead to children accepting it as normal and therefore not reporting such issues. Montebello will prevent sexual harassment, online sexual abuse and sexual violence through a carefully planned and sequenced relationships, sex and health education sessions alongside effective challenge and response to specific issues when they arise. All staff will reassure victims that they are being taken seriously and that they will be supported and kept safe.

All concerns must be reported and discussed with the Designated Safeguarding Lead, Deputy Designated Safeguarding Lead or senior member. This is most likely to include, but not limited to:

- Abuse within intimate personal relationships between peers;
- Bullying (including cyber bullying, prejudice-based and discriminatory bullying);
- Serious violence;
- 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 such as sexual comments, remarks, jokes and online sexual harassment which may be standalone or part of a broader pattern of abuse;
- Causing someone to engage in sexual activity without consent;
- Consensual and non-consensual sharing of nudes and semi-nude images or videos;
- Upskirting, which typically involves taking a picture under a person's clothing without their permission;
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; and
- Sexting and initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and many also include an online element).

Children with special educational needs and disabilities are more vulnerable to sexual violence and harassment and staff should be aware that additional barriers can exist when recognising abuse in these children. Children who are LGBT+ or perceived to be, may also be targeted by their peers and harassed or assaulted.

Victims of child on child harm will be supported by Montebello's pastoral system and referred to specialist agencies including, as examples, 'CAMHs', 'Brook' and 'Barnardo's'. A risk assessment may need to be in place. Montebello's curriculum will support young people to become more resilient to inappropriate behaviours towards them, risk taking behaviours and behaviours that children may be coerced into including 'sexting' or 'initiation/hazing' behaviours.

Additional guidance is available on the NSPCC website:

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/online-abuse/legislation-policy-practice/>

## **Children at risk of Serious Violence and/or Child Criminal or Sexual Exploitation**

All staff should be aware of the indicators which may suggest a child is at risk from, or is involved with serious violent crime. These may include:

- Increased absence from education;
- 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 of 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.

All staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or dismissed from Montebello, having experienced abuse or neglect and having been involved in offending such as theft or robbery. Additional advice can be found in the Home Office's Preventing youth violence and gang involvement and Criminal exploitation of children and vulnerable adults: county lines guidance.

Both child sexual exploitation and child criminal exploitation are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victims needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. Child sexual exploitation and child criminal exploitation can affect children, both male and female, and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

Staff will understand that whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including gender, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

All staff should be aware of the indicators which may suggest a child is at risk from or experiencing child criminal or sexual exploitation. These may include:

- Appear with unexplained gifts, money or new possessions;
- Associate with other children involved in exploitation;
- Have been the victim or perpetrator of serious violence (e.g. knife crime);
- Suffer from changes in emotional well-being;
- Misuse drugs and alcohol;
- Go missing for periods of time or regularly come home late and are found in areas away from their home;
- Are found in accommodation that they have no connection with; and
- Regularly miss lessons or education or do not take part in education.

All staff will be aware that children who are involved in criminal exploitation often commit crimes themselves, therefore their vulnerability as victims is not always recognised by adults and professionals. They may still have been exploited even if the activity appears to be something they have agreed or consented to. Staff will also have an understanding of the fact 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.

All staff will be aware that child sexual exploitation is child sexual abuse. Exploitation of this nature can be a one off occurrence and may happen without the child's immediate knowledge e.g. through the sharing of videos or images. It can also affect any child who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. because they believe they are in a genuine relationship.

Montebello understands that children who have been exploited or are at risk of serious violence, will need additional support to help maintain them in education.

### **On-line safety, data protection and the use of mobile phones and digital photographic equipment**

Montebello promotes a 'no mobile phone' policy amongst the companies students were possible except for break and lunch times. Staff should also report any concerns about sexting (youth produced sexual imagery) to the Designated Safeguarding Lead, Deputy Designated Safeguarding Lead or senior member of staff who will follow the guidance in [Sexting in schools and colleges: Responding to incidents and safeguarding young people](#) (UK Council for Child Internet Safety December 2020). This document provides clarity as to how staff should respond to these incidents.

Montebello's on-line and Acceptable Use policies clearly outline the way in which Montebello uses technology and the measures in place to ensure safe and responsible use by all. There is a clear code of conduct for staff and volunteers which sets out the use of new technologies, mobile phones and personal photographic equipment around children. Montebello requests permission from all parents (and children where age appropriate) for photographs to be taken and published for relevant purposes. Montebello will consider Looked After Children (Children in Care) who might be put at risk by being included in publicity materials or Montebello photographs.

The DfE highlights the risks of new technologies:

*'The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation- technology often provides the platform that facilitates harm. An effective approach to online safety empowers a school to protect and educate the whole school community in their use of technology and establishes mechanisms to identify, intervene in and escalate any incident where appropriate. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:*

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

The use of technology has become a significant component of many safeguarding issues such as child sexual exploitation, criminal exploitation, radicalisation and sexual abuse. Technology often provides the platform that facilitates harm.

Schools and colleges should ensure online safety is a running and interrelated theme whilst devising and implementing policies and procedures. This will include considering how online safety is reflected as required in all relevant policies and considering online safety whilst planning the curriculum, any teacher training, the role and responsibilities of the designated safeguarding lead and any parental engagement.

Staff should bring immediately to the attention of the Managing Director, Designated Safeguarding Lead or senior leadership team any behaviours by adults or children themselves that may be risky or harmful.

Annex D of Keeping Children Safe in Education provides schools and educational settings with further key information and guidance.

The DFE guidance “Teaching Online Safety in Schools” (June 2020) also outlines how schools can ensure their pupils understand how to stay safe and behave online as part of forthcoming and existing curriculum requirements [www.gov.uk/government/publications/teaching-online-safety-in-schools](https://www.gov.uk/government/publications/teaching-online-safety-in-schools).

## **Children requiring mental health support**

Montebello recognises that it has an important role to play in supporting the mental health and wellbeing of our students. We also recognise that in some cases, mental health problems can be an indicator that a child has suffered, or is at risk of suffering abuse, neglect or exploitation. The designated safeguarding lead will regularly liaise with the senior mental health lead where safeguarding concerns are linked to mental health to ensure there is an effective and appropriate response by the centre. Within Montebello we adopt a whole company approach to mental health and wellbeing, which includes promoting positive mental health, wellbeing and resilience across Montebello.

## **Monitoring attendance**

A child missing from an education setting is a potential indicator of abuse or neglect, including exploitation. Local Authority guidance and procedures will be followed for dealing with a child who is missing from education, particularly on repeated occasions. Montebello will follow the Pan-Merseyside missing children protocol 2018. Unauthorised attendance will be closely monitored. In line with Montebello’s attendance policy, the attendance of children with known welfare and attendance concerns will be monitored closely, particularly those with chronic poor attendance or persistent absentees. Similarly, the attendance of children who are vulnerable or with known welfare and safeguarding concerns such as children who have a child protection plan, a child in need, are Children Looked After and/or SEN will be monitored on a daily and weekly

basis. The child's social worker will be informed immediately when there are unexplained absences or attendance concerns.

It is important that Montebello's attendance monitoring staff, are aware of any safeguarding concerns. It is critical that when a child is not attending Montebello their welfare is confirmed and expected practice would be for an appropriate professional to their employment to the child alone, particularly if there are any safeguarding concerns. If it is a school student Montebello will contact the relevant school who will follow their procedures. Montebello will seek to ensure it has at least two emergency contacts for each family and consider what urgent action it may need to take when a vulnerable child and family are not contactable, and the child has not attended Montebello.

It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, Female Genital Mutilation and forced marriage.

Children Missing Education (C.M.E.) are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. All staff should be aware that children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life. Children going missing can also be an indicator of mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of or risk of forced marriage. Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Maintained schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty for their pupils. When a child is deemed to be missing from education, Montebello will make reasonable enquiries to establish the whereabouts of the child jointly with the school they are registered with on the alternative provision programme, before deleting the pupil's name from the register. Once these enquiries have been undertaken, Montebello will liaise with the registered school who will follow the local protocol for Children Missing Education and make a C.M.E referral to the Local Authority Officer for C.M.E.

## **Private fostering**

The Children Act 1989, 2004 and Children (Private Arrangements for Fostering) Regulations 2005 set out that Private Fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer.

Montebello has a mandatory duty to report to the local authority if they believe a child is subject to a private fostering arrangement. (This does not include close family relatives e.g. grandparent, brother, sister, uncle or auntie.) This means making a referral to children's services. A private fostering arrangement is made without the knowledge of the local authority for the care of a child under the age of 16 years (under 18 for children with disabilities) whereby the child is in the care of someone other than their parent or close relative. Further guidance is available in Keeping Children Safe in Education (DFE, 2020) and in [Children Act 1989 private fostering](#). When

a child is privately fostered a social worker must carry out an assessment to ensure the placement is appropriate and consider any support needed.

## **Safer recruitment**

Montebello will ensure that all appointments follow its recruitment policy and the guidance set out in Keeping Children Safe in Education (DFE 2022). At least one member of the appointments panel will have undertaken safer recruitment. Montebello will undertake all the required DFE pre-employment checks and where appropriate will record these checks on the single central record and retain evidence in personnel files. Montebello will seek written confirmation that third-party organisations including contractor and alternative education providers have undertaken appropriate checks. Montebello's Safer Recruitment Policy and Procedures set out the processes in more detail.

Online searches may take place for shortlisted candidates depending on the job role. This will be at the recruitment panels discretion and will only be used to help identify any incidents or issues that have happened, and are publicly available online that they might want to discuss with the applicant.

Montebello is required to inform relevant staff who fall within the scope of [Disqualification under the Childcare Act 2006](#) and establish they are not disqualified. The criteria for disqualification under the 2006 Act and the 2019 Regulations includes inclusion on the Disclosure and Barring Service (DBS) Children's Barred List or committing a relevant offence.

## **The safeguarding curriculum**

Montebello will ensure it has a curriculum which sets out how to help children keep themselves safe from harm. This will include messages which are taught through the Relationships education, relationships and sex education and health education through specialist visits, alongside standalone pieces of work and messages delivered through other curriculum areas. Children will be provided with age appropriate skills, knowledge and understanding to help them recognise and respond to issues such as consent and healthy relationships. Children will be supported to develop their understanding, at the appropriate age, of risks including when using technology, the internet, and risks associated with grooming and radicalisation, gang and criminal exploitation and misusing drugs and alcohol. Children will also learn about the wider safeguarding curriculum which for children would include road safety, anti-bullying and knowing how to seek support when needed. Montebello will ensure the curriculum promotes an understanding of the values needed to live within a democratic society including the rule of law, and individual liberty. It will promote tolerance and respect for all faiths (and those of no faith), races, genders, ages, disability and sexual orientations.

## **Complaints and Whistleblowing**

Complaints about safeguarding should follow Montebello's complaints policy.

Montebello recognises that children cannot be expected to raise concerns in an environment where staff fail to do so.

All staff should be aware of their duty to raise concerns, where they exist, which may include the attitude or actions of colleagues. Montebello's Whistleblowing Policy is there to support and aid them in these circumstances. The Local Authority also has whistle blowing procedures.

Whistleblowing regarding the Managing Director should be made to the Company Directors.

The NSPCC whistleblowing helpline is available for staff and volunteers who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285.

## **Escalation**

If any member of staff is unhappy with the response, they have received in relation to a safeguarding concern they have raised, it is their responsibility to ensure they escalate their concern within the organisation. All members of staff are aware of their responsibility to escalate and refer concerns on to Children's Services when it is appropriate to do so.

Where professional disagreement occurs and the Designated Safeguarding Lead and/or Deputy are unhappy with the actions or decisions of another agency, they will escalate their concern in line with the Local Safeguarding Children Partnership's formal escalation policy to ensure a timely resolution.

The first step of any escalation process with another agency is to raise any concerns directly with the other professional and their line manager. A professionals meeting is always a positive way of resolving differences and remaining focussed on the outcomes for the child.

## **Proactive Safeguarding**

Montebello recognises that the company plays a significant part in the prevention of harm to our children by providing them with opportunities to learn, good lines of communication with trusted adults, supportive peers and an ethos of protection.

Montebello recognises that we may provide the only stability in the lives of children who have been abused or who are at risk of harm.

Montebello recognises that safeguarding incidents and/or behaviours can be associated with factors outside the company or can occur between children outside the company. All staff, but especially the Designated Safeguarding Lead and deputy should consider the context within which such incidents or behaviours occur. This is known as contextual safeguarding, which means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

The Montebello community will:

- Work to establish and maintain an ethos where children feel secure and are encouraged to talk and are always listened to. This ethos will be modelled and replicated by staff and trustees.
- Promote a caring, safe and positive environment within the company.
- Ensure that the company site is a safe, secure and welcoming place to learn and grow.

- Encourage self-esteem and self-assertiveness through the curriculum as well as through personal relationships, whilst not condoning aggression or bullying.
- Include regular consultation with children e.g. through safety questionnaires, participation in anti-bullying week, etc.
- Ensure that all children know there is an adult in Montebello whom they can approach if they are worried or in difficulty.
- Include safeguarding messages across the full curriculum, including PSHE, to ensure that the children are equipped with the skills they need to recognise risky behaviours, stay safe from harm and to know to whom they should turn for help. In particular this will include e.g. staying safe online, anti-bullying, e-safety, road safety, pedestrian and cycle training, focused work in Year 11 to prepare for transition to further education and more personal safety/independent travel, issues around consent, sexting, positive mental health, etc.
- Offer a positive learning experience.
- Ensure all staff are aware of Montebello guidance for their use of mobile technology and have discussed safeguarding issues around the use of mobile technologies and their associated risks

## **Monitoring and Quality Assurance**

Policies and procedures only remain effective if they are regularly monitored and reviewed to ensure that they are still applicable and relevant. Montebello recognises the importance of monitoring and quality assuring the effectiveness of our child protection policy and the procedures set out within it. The aim of monitoring and evaluating the child protection policy is to learn from practical experience, which will contribute to inform policy reviews and future changes to the policy and procedures. The process of monitoring and quality assurance will help Montebello to identify the policy strengths and weaknesses and will help to provide an understanding of the reasons for these, so that decisions can be made to resolve any limitations with immediate effect.

Monitoring and evaluation will be done by checking whether the standards from the child protection policy are implemented and whether safeguards are working and will be undertaken throughout the year by the Designated Safeguarding Lead, the Managing Director. Activities which could form part of the ongoing monitoring of effectiveness could be:

- Scrutiny of the Single Central Record and personnel files to ensure pre-employment checks are robust and up-to-date, and that job descriptions for new positions include reference to child protection, etc.
- Confirmation that training has been undertaken according to planned schedule and that all relevant staff and volunteers have participated
- There is effective analysis of safeguarding data including bullying, attendance, exclusions, behaviour logs, pupils taken off roll, the views and progress and participation of vulnerable students. In particular, Montebello will monitor the link between attendance and safeguarding and those persistently absent, frequently late, missing from education (including part of the day) or those who suddenly stop attending.
- Methods such as 'safeguarding training questionnaires' used to evidence the effectiveness of staff training
- Regular meetings with staff, volunteers and children which include the opportunity to discuss safeguarding and child protection, or use of questionnaires to evidence this



- Safeguarding learning walks designed to evidence and test out key safeguarding standards
- Adapting and amending the policy and procedures outside of their annual review date to reflect current issues which may have recently arisen to ensure that all children are protected at all times.
- The safeguarding team meets by monthly and procedures are monitored and amended if applicable.

Montebello will also draw upon additional quality assurance activities and e.g. Single Central Record Checklist.

## Appendix 1

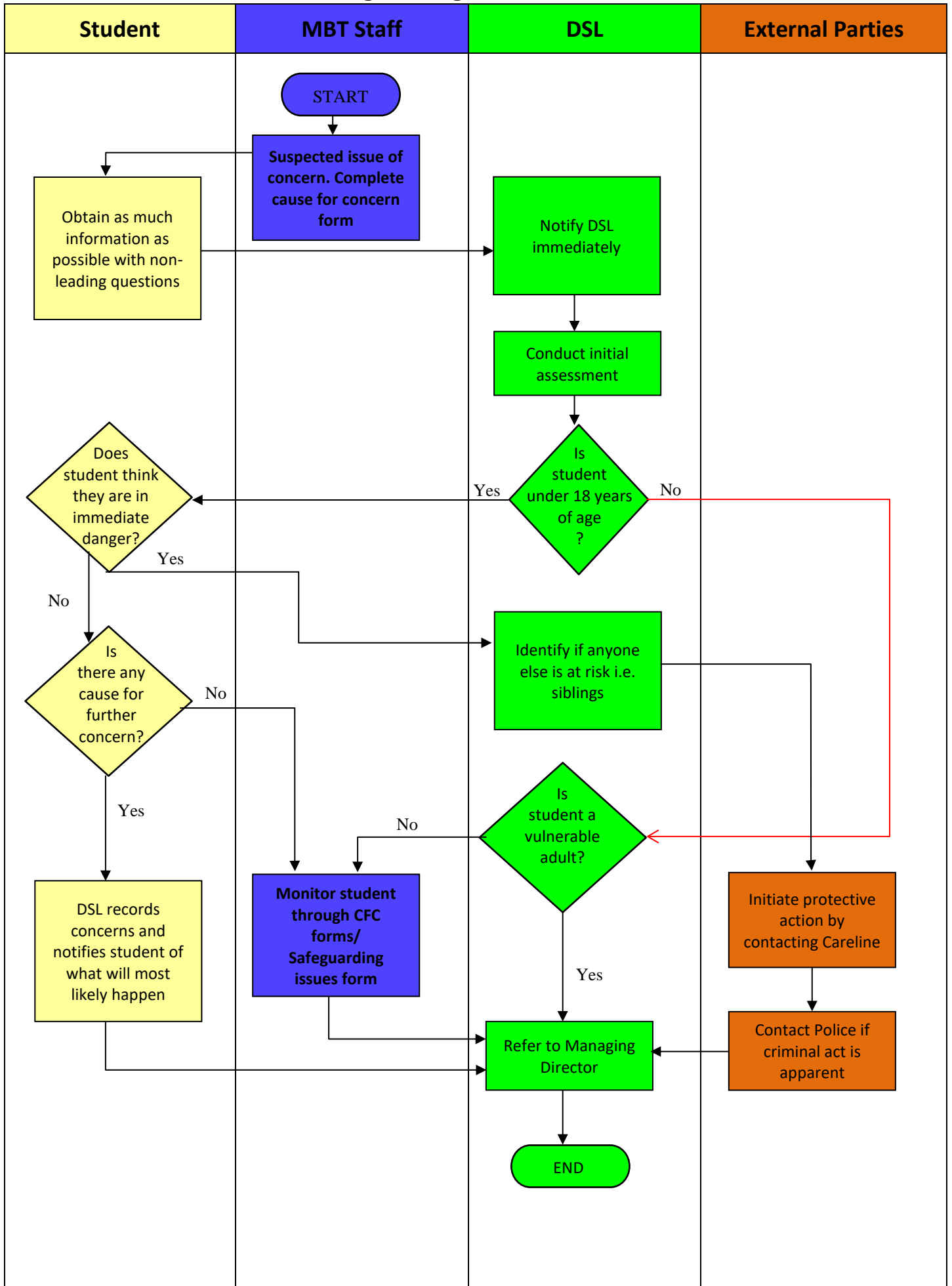
### Safeguarding Across the Continuum – Levels of Need and Response



Practitioners must escalate to resolve any areas of professional disagreement. See LSCB Escalation Policy.



# PP04 Safeguarding Procedure V7 09/22



# PP04 Safeguarding Procedure V7 09/22

## Master Documents

### Safeguarding & IAG

Cause for Concern Form – Mode V2 03/19

Cause for Concern Form – PAAH

Child Protection Conference Report Form-a

Child Protection Conference Report Form-b

CP Conference Report Guidance

MBT Safeguarding Incident-Concerns Form V2 08/20

Mode – Safeguarding Incident-Concerns Reporting Form

Student Safeguarding issues Document List V1 10/18

Student Safeguarding Issues Form V1 11/18

CFC	Cause for Concern Forms
DSL	Designated Safeguarding Lead