

**Brynhafren  
C.P. School**

**Safeguarding Policy**

**Adopted: October 2020**

**Signed.....Headteacher**

**Signed.....Chair of Governors**

**“Growing & Learning Together”**

**“Tyfu a Dysgu Gyda’n Gilyd”**



# SAFEGUARDING POLICY FOR BRYNHAFREN SCHOOL

## INTRODUCTION

The Governing Body of Brynhafren School recognises that, in order to support the complete development of each and every child, they have a duty to ensure that each child:-

- stays safe;
- is healthy;
- is able to enjoy and achieve;
- is able to achieve economic wellbeing;
- makes a positive contribution.

## SAFEGUARDING STATEMENT

The Governors and staff of Brynhafren School are fully committed to adhering to section 175 of the Education Act, 2002, which requires Local Authorities and Governing Bodies of maintained schools and institutions to have arrangements for exercising their functions with a view to safeguarding and promoting the welfare of children. The Governing Body of School responds to the objective of keeping children and young people safe by:-

- creating and maintaining a safe learning environment for children and young people;
- identifying where there are child welfare concerns and taking action to address them, where appropriate, in partnership with other agencies;
- ensuring that children are listened to if they are expressing concerns; and
- the development of children's understanding, awareness and resilience through the curriculum.

The Governing Body recognises that achieving this objective requires a system designed to:-

- prevent unsuitable people from working with children and young people;
- promote safe practice and challenge poor and unsafe practice;
- identify incidents in which there are grounds for concern about a child's welfare, and initiate or take appropriate action to keep them safe; and
- contribute to effective partnership working between all those involved in providing services for children and young people.

Governors and staff in Brynhafren School will work together with other agencies in order to achieve the above objective.

At Maesyrhandir School the health and safety of all children is of paramount importance. Parents send their children to school each day with the expectation that the school will provide a secure environment in which their children can flourish. The Governing Body and school staff, therefore, make every effort to ensure that this expectation becomes a reality. In order to do this, a wide range of measures and policies have been put in place.

This Safeguarding Policy makes reference to the following aspects which support the safeguarding and promoting the welfare of pupils:-

- Child Protection;
- Abuse by children and young people, including sexual abuse (sexually harmful behaviour)
- Asylum seeking children
- Black minority ethnic pupils
- Bullying
- Child abuse images and the internet
- Child abuse linked to belief in witchcraft or other spiritual beliefs
- Child neglect
- Children & Young People in the youth justice system
- Children living away from home or in temporary accommodation
- Child Sexual Exploitation (CSE)
- Children who may have been trafficked
- Children Missing education
- Children who run away/missing children
- Disabled children
- e-safety
- Fabricated or Induced illness (FII)
- Female genital mutilation (FGM)
- Forced marriage & honour based violence
- Foster care, including private fostering
- Foreign exchanges organised by schools
- Foreign exchanges organised by parents & carers
- Gender based violence, domestic abuse & sexual violence
- Physical contact with students, including restraint
- Radicalisation
- Sexually active young people
- Substance misuse
- Suicide
- Teenage intimate partner abuse
- Health and Safety;
- Equal Opportunities;
- Harassment and discrimination;
- Racist abuse;
- Drug and substance abuse;
- First Aid;
- Pupils with medical conditions;
- Sex and relationships education;
- Safeguarding in the curriculum;
- Welfare of pupils on extended vocational placements;
- Issues specific to a local area;
- Site security;
- Attendance;

- Safe recruitment;
- Induction;
- Welcoming visitors;
- Behaviour and Discipline;
- Photographing and videoing;
- Whistleblowing;
- Communication with parents and learners;
- Activities beyond the school day; and
- Complaints.

## CONTACTS

**The Designated Teacher for Child Protection/Safeguarding for the School are: Alison Ellis and Sam Rees**

**The Deputy Designated Teacher for Child Protection/Safeguarding for the School is: Sarah Blackmore.**

**The Nominated Governor for Child Protection/Safeguarding for the School is: Karen Pountney**

### 1. Child Protection

The school's Child Protection Policy, together with an **APPENDIX** providing details of definitions of child abuse and procedures for addressing Child Protection issues is attached to this Safeguarding Policy.

### 2. Abuse by children and young people, including sexual abuse (sexually harmful behaviour)

#### Duties and guidance

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) provides multi-agency guidance on abuse by children and young people. Section 6 of the [Wales Safeguarding Procedures 2019](#) covers children who display sexually harmful behaviour.

### 3. Asylum seeking children

#### Duties and guidance

The Welsh Refugee Council, Displaced People in Action and Children in Wales have jointly developed a [Teachers Resource Pack for Working with Asylum Seeker and Refugee Children](#).

Section 6 of the [Wales Safeguarding Procedures 2019](#) covers unaccompanied asylum seeking children along with the All Wales Practice Guidance on [Safeguarding and Promoting the Welfare of Unaccompanied Asylum Seeking Children and Young People](#).

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) provides multi-agency guidance on unaccompanied asylum seeking children and young people.

#### 4. Black minority ethnic pupils

##### Duties and guidance

In 2011, the Welsh Government published guidance on [bullying around race, religion and culture](#).

The [Equality Act 2010](#) consolidates existing law into a single legal framework. While many of the concepts of discrimination remain the same as in previous equality legislation, there are some areas that were not previously covered. There are various types of discrimination that apply to the [schools provisions in the Act](#). In 2012, BAWSO<sup>3</sup> published [Protecting Black and Minority Ethnic Children: An Investigation of Child Protection Interventions](#). This study looked at the number of children BAWSO had worked with who had been on the child protection register between 2006 and 2011, to explore the issue of safeguarding children from black and ethnic minority backgrounds.

#### 5. Bullying

##### Duties and guidance

Welsh Government guidance [Respecting Others: Anti-Bullying Guidance \(24/2003\)](#) provides information on tackling bullying in schools and the steps to be taken to support children and young people who report bullying outside school. It offers guidance on:

- bullying around race, religion and culture
- bullying involving children with special educational needs and disabilities
- homophobic bullying
- sexist, sexual and transphobic bullying
- cyberbullying – advances in communication technologies, and access to them by children and young people, has required schools to be vigilant and innovative in finding solutions to their misuse.

[Tackling Hate Crimes and Incidents: A Framework for Action](#) was launched by the Welsh Government in May 2014. The Welsh Government has funded a children and young person's [helpline](#) through MEIC Cymru and a [National Hate Crimes and Incidents Centre](#) through Victim Support Cymru.

#### 6. Child abuse images and the internet

Accessing abusive images of children is not a victimless action. Those who access inappropriate images of children are contributing to, and encouraging, continuing abuse of those children. Those children are victims of serious abuse and the abusers, whether the perpetrators of the initial abuse or those who access the images, should be subject to appropriate and proportionate criminal action.

There is also growing concern about the exposure of children to inappropriate material via interactive communication technology, e.g. adult pornography and/or extreme forms of obscene material. Allowing or encouraging a child to view such material over an appreciable period of time may warrant further enquiry. Children themselves can engage in text bullying and use mobile camera phones to capture violent assaults of other children for circulation.

### **Duties and guidance**

Section 6 of the [Wales Safeguarding Procedures 2019](#) covers indecent images of children and the internet.

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) includes a section on child abuse images, the internet and information technology.

Further guidance, training and support is available from the [Child Exploitation and Online Protection Centre](#) (CEOP). CEOP works to protect children, families and society from paedophiles and sex offenders; in particular, those who seek to exploit children sexually online.

## **7. Child abuse linked to belief in witchcraft or other spiritual beliefs**

### **Duties and guidance**

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) contains guidance on child abuse linked to belief in possession or witchcraft, or in other ways related to spiritual or religious belief. The Welsh Government also published separate guidance in May 2008 on [Safeguarding children from abuse linked to a belief in spirit possession](#).

## **8 Child neglect**

Child neglect falls into four main categories: physical, educational, emotional and medical neglect. A prevalence study carried out by the NSPCC<sup>4</sup> in the UK shows that neglect was the most prevalent type of maltreatment in the family for all age groups and child neglect is the main reason why children in Wales were subject to a child protection plan.

Possible consequences include an array of health and mental health problems including developmental delay, emotional and behavioural difficulties, lower IQ and poor school performance and difficulty with friendships and maintaining relationships.

Physical neglect is the failure to provide for a child's basic physical needs. It usually involves the parent or caregiver not providing adequate quality and quantity of food, correct fit or type of clothing or a safe place to live, play and sleep. It can also include child abandonment and inadequate or inappropriate supervision, which leads to cuts, bruises, burns and other injuries.

Educational neglect involves the failure to ensure a child receives an adequate and suitable education and failing to support a child in their learning.

Emotional neglect or psychological neglect can include:

- ignoring a child's presence or needs
- consistently failing to stimulate, encourage or protect a child
- rejecting a child and not showing affection in a timely or consistent manner
- isolating a child, where the child does not have normal social contact with other children and adults.

Medical neglect is the failure to provide appropriate health care for a child. A parent may not recognise when a child requires medical attention, may refuse medical care for a child or may not start or administer the recommended treatment as directed by a healthcare professional. This also includes dental neglect, where a child may have severe untreated dental decay.

Staff members concerned about child neglect should report their concerns to the Designated Senior Professional. They should apply basic safeguarding children principles including sharing information across agencies and being child-focused at all times. [Safeguarding Children: Working Together under the Children Act 2004](#) and the [Wales Safeguarding Procedures 2019](#) both define child neglect and outline professionals' duties and responsibilities to act on concerns.

Many LSBs have adopted child neglect protocols and will be able to offer advice (including links to published neglect toolkits and protocols) and work is ongoing to support boards to adopt these resources.

Leaflets have been produced by NSPCC that summarise what is known about the key features to help identify neglect and emotional abuse in pre-school children, children aged 5-14 and teenagers. These can be downloaded from: <http://www.coreinfo.cardiff.ac.uk/category/leaflets>

## **9 Children and young people in the youth justice system**

### **Duties and guidance**

In October 2014, the Youth Justice Board for England and Wales published [Commitment to Safeguard](#) in which it outlined its role and commitment to safeguarding children and young people in the youth justice system.

## **10 Children living away from home or in temporary accommodation**

## Duties and guidance

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) includes guidance on children living away from home and children of families living in temporary accommodation.

Section 6 of the [Wales Safeguarding Procedures 2019](#) covers children living away from home.

## 11 Child sexual exploitation (CSE)

### Duties and guidance

The Welsh Government's statutory guidance on [Safeguarding Children and Young People from Sexual Exploitation](#) is designed to assist teachers and other professionals in preventing CSE by:

- developing local prevention strategies
- identifying those at risk of being sexually exploited
- enabling action to safeguard and promote the welfare of particular children and young people who are being, or may be, sexually exploited
- supporting action against those intent on abusing and exploiting children and young people in this way.

The [All Wales Protocol](#) includes the Sexual Exploitation Risk Assessment Framework which enables safeguarding actions to be linked to evidence of risk, facilitating both preventive action and appropriate interventions. It is designed to inform suitable responses in relation to children and young people's safeguarding needs. School staff should be alert and competent to identify and act upon concerns that a child is vulnerable to, at risk of, or experiencing abuse through CSE.

## 12 Children who may have been trafficked

### Duties and guidance

The [All Wales Practice Guidance for Safeguarding Children Who May Have Been Trafficked](#) sets out the required response to effectively safeguard children who are abused and neglected by adults who traffic them into and within the UK for purposes of exploitation.

The [Sexual Offences Act 2003](#) introduced new wide-ranging offences covering trafficking into, out of or within the UK, for any form of sexual offence. These offences carry a 14 year maximum penalty.



The [Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004](#) introduced a new offence of 'trafficking for exploitation' which covers trafficking for forced labour and the removal of organs.

The UK has international obligations in relation to trafficking under the UN Palermo Protocol, the [EU Framework Decision on Trafficking for the Purposes of Sexual and Labour Exploitation](#), and the Council of Europe [Convention on Action against Trafficking in Human Beings](#).

In 2008, the Welsh Government published [Safeguarding Children who may have been trafficked](#). This provides good practice guidance to professionals and volunteers from all agencies to help them effectively safeguard children who are abused and neglected by adults who traffic them into and within the UK in order to exploit them.

In 2011 the Home Office published its [Strategy on Human Trafficking](#). This places emphasis on raising awareness of child trafficking and ensuring child victims are safeguarded and protected from re-trafficking.

The NSPCC's Child Trafficking Advice Centre (CTAC) is a specialist national service that provides free advice and support to professionals concerned that a child or young person may be a victim of trafficking. Call CTAC for advice, information and support on 0808 800 5000 or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## 13 Children missing education

### Duties and guidance

The Welsh Government has published [statutory guidance to help prevent children and young people from missing education](#). It provides a practical toolkit to identify children and young people missing education.

## 14 Children who run away/missing children

The [Wales Safeguarding Procedures 2019](#) includes a protocol on children who go missing <http://www.awcpp.org.uk/home/wales-protocols/>. The protocol applies to all children and young people up to the age of 18 and covers:

- children who go missing who are living within their families
- children who are looked after by the local authority who go missing from their placement (including children on remand).

## 15 Disabled children

### Duties and guidance

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) includes guidance on abuse of disabled children.

Where there are concerns about the welfare of a disabled child, they should be acted upon in accordance with the [Wales Safeguarding Procedures](#), in the same way as with any other child. The same thresholds for action apply. It would be unacceptable if poor standards of care were tolerated for disabled children which would not be tolerated for non-disabled children. Where a disabled child has communication or learning difficulties, special attention should be paid to communication needs, ascertaining the child's perception of events, and his or her wishes and feelings.

The [Equality Act 2010](#) covers discrimination law, further strengthening the law to support progress on equality. The Act protects pupils from discrimination, harassment and victimisation based on 'protected characteristics'. Disability is a protected characteristic.

[Part 6 of the Equality Act](#) sets out the duties of schools and local authorities under the Equality Act 2010.

## 16 e-Safety

The Welsh Government encourages schools to make full use of social technologies to engage learners and improve learning outcomes, while also developing learners to be confident and competent digital citizens. In March 2013, the Minister for Education and Skills published a [written statement on the safe and responsible use of social networking sites in education](#) and asked local authorities to work with the Welsh Government on a new and more positive approach. This recognised that for children to develop the skills and knowledge to become confident digital citizens, they need to understand how to use the internet safely, both under supervision and independently.

To help children and young people stay safe online, a [new e-safety zone](#) has been created on [Hwb](#) – the national digital content repository. This provides resources, news and research on staying safe in the digital space by adopting appropriate behaviours and a positive digital presence. It hosts e-safety resources for all schools to help teachers raise awareness of e-safety issues with parents and pupils.

In October 2014, [360 degree safe Cymru, an e-safety self review tool](#) was launched. This allows schools to review their e-safety policies and practices. It provides template policies, in addition to links to good practice guidance, and allows schools to identify areas of strength and weakness and benchmark their progress and improvement against other schools.

In October 2014, the [Digital Literacy and Citizenship Resource](#) was launched. This resource is designed to be used in classrooms to empower pupils to think critically, behave safely, and participate responsibly in our digital world. These free [materials](#), covering foundation phase up to key stage 4/5, are flexible and adaptable. This allows teachers to choose from units from other year groups, for example, in response to events in school, or to recognised national changes in online trends.

## 17 Fabricated or induced illness (FII)

### Duties and guidance

In 2008 the Welsh Government published [Safeguarding Children in Whom Illness is Fabricated or Induced](#).

## 18 Female genital mutilation (FGM)

### Duties and guidance

[The All Wales Child Protocol on Female Genital Mutilation](#) provides advice on safeguarding girls from FGM.

The Home Office has also produced [multi-agency guidelines](#) which outline the actions that should be taken by front-line professionals, such as teachers, health professionals, police officers and social workers, to protect girls and women and offer them the support they need.

In the UK, all forms of FGMs are illegal under the [Female Genital Mutilation Act 2003](#). It is an offence (regardless of their nationality and residence status) to:

- perform FGM in the UK
- assist the carrying out of FGM in the UK
- assist a girl to carry out FGM on herself in the UK
- assist from the UK, a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident.

The Act also makes it an offence, for the first time, for UK nationals or permanent UK residents to:

- perform FGM abroad
- assist FGM carried out abroad by a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist from outside the UK for FGM to be carried out abroad by a non-UK person on a girl or woman who is a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist a girl to perform FGM on herself outside the UK, even in countries where the practice is legal.

Any information or concern that a child is at immediate risk of, or has undergone, FGM should result in an immediate child protection referral.

If you have concerns that a girl or young woman may be taken overseas for FGM then you should also contact the [Foreign and Commonwealth Office](#). [FORWARD](#) is a UK organisation which provides support, counselling and safe space for girls and women to talk about their

experiences. They can also educate and work with families to prevent FGM happening to any other girls in the family.

The NSPCC has a 24-hour helpline for anyone who is worried a child is at risk of, or has had FGM. You can call 0800 028 3550 or you can email [fgmhelp@nspcc.org.uk](mailto:fgmhelp@nspcc.org.uk).

## 19 Forced marriage and honour-based violence

### Duties and guidance

HM Government's [Multi-agency practice guidelines: Handling cases of Forced Marriage](#), updated in August 2014, provides step-by-step advice to professionals, including teachers.

It complements the statutory guidance [The Right to Choose](#) which came into force with the launch of the [Forced Marriage \(Civil Protection\) Act](#) in November 2008 and sets the broader strategic responsibilities of chief executives and senior managers in tackling forced marriage locally.

[The Anti-social Behaviour, Crime and Policing Act 2014](#) makes it a criminal offence to force someone to marry. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)
- breaching a Forced Marriage Protection Order

the civil remedy of obtaining a Forced Marriage Protection Order through the family courts will continue to exist alongside the new criminal offence, so victims can choose how they wish to be assisted. Details of the new law can be found on the [Legislation website](#).

[Forced Marriage and Learning Disabilities: Multi-Agency Practice Guidelines](#) helps professionals dealing with the forced marriage of people with learning disabilities. It is designed to help raise awareness and support practitioners in identifying the warning signs of this complex and often hidden practice.

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) includes guidance on forced marriage.

If there are concerns that a child (male or female) is in danger of a forced marriage, schools and FE institutions can contact the UK Government's [Forced Marriage Unit](#), where experienced caseworkers are able to offer support and guidance. Call 020 7008 0151 between 9am-5pm Monday to Friday or email [fmufco.gov.uk](mailto:fmufco.gov.uk)

## 20 Foster care, including private fostering

## Duties and guidance

The [Children Act 2004](#) establishes the duty of all local authorities to promote awareness of the need to notify them about any privately fostered children living in their area.

In 2011 the Welsh Government published [Protecting Children, Supporting Foster Carers: A Toolkit for Dealing with an Allegation of Abuse](#) to assist fostering services in the public and independent sectors, and child protection managers in dealing with allegations against foster carers.

Teachers and other professionals should notify the local authority of any private fostering arrangement that comes to their attention where they are not satisfied that the local authority has been, or would be, notified of the arrangement. It is good practice to inform the foster parents of the referral but if it is considered that this could place the child at risk of harm then it is not necessary to obtain consent.

[The Children Act 1989](#) creates a number of offences in connection with private fostering, including failure to notify an arrangement or to comply with any requirement or prohibition imposed by the authority. The [Children Act 2004](#) strengthens local arrangements for notification. Paragraph 7A of [Schedule 8 to the Children Act 1989](#), requires local authorities to promote awareness in their area of notification requirements, and to ensure that such advice as appears to be needed is given to those concerned with children who are, or are proposed to be, privately fostered. This will include parents and private foster carers.

## 21 Foreign exchange visits

### Duties and guidance

Local authorities and schools have a duty to ensure that appropriate arrangements are in place to safeguard and promote the welfare of children, under [Section 175 of the Education Act 2002](#) and [Section 28 of the Children Act 2004](#). It is important that schools and local authorities are clear about how they continue to meet their statutory duties for safeguarding children when making arrangements for foreign exchange visits.

### Foreign exchanges organised by schools

It is a matter for local authorities and schools to satisfy themselves when considering making arrangements to allow a host family in Wales to have contact with a visiting child, that the members of the host family are not included on a barred list. Advice should be sought from the Disclosure and Barring Service (DBS). The DBS cannot access criminal records held overseas. Foreign host families cannot be checked in the same way by local authorities and schools in Wales when pupils stay abroad. Schools should work with partner schools abroad to ensure that similar assurances are undertaken prior to a visit. If they wish, local authorities and schools can contact the relevant [foreign embassy](#) or High Commission of the country in question and find out if similar checks can be done in that country.

### Foreign exchanges organised by parents and carers

Where parents organise a foreign exchange, or exercise their own judgment and accept the responsibility for selecting the host family, it is considered to be a private arrangement between the two families and therefore falls within the scope of a 'family and personal arrangement'. Therefore, DBS checks are not required. In such cases it is likely that a relationship has been established between the two families over time, so that the parents can make an informed choice about sending their child to stay with the host family.

## 22 Gender-based violence, domestic abuse and sexual violence

The Welsh Government has adopted the following definitions in the [Genderbased Violence, Domestic Abuse and Sexual Violence \(Wales\) Bill](#).

- **Domestic abuse** is physical, sexual, psychological, emotional or financial abuse where the victim is associated with the abuser.
- **Gender-based violence** is violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation, female genital mutilation and forced marriage.
- **Sexual violence** includes sexual exploitation, sexual harassment, or threats of violence of a sexual nature.

Women and men can be victims of domestic abuse within heterosexual, lesbian, gay, bisexual and transgender relationships. They can also suffer abuse from other family members. However, the majority of domestic abuse is perpetrated by men against women and their children. Young women aged 16 to 24 years are most at risk of being victims of domestic abuse.

### Duties and guidance

The [Service Framework to meet the needs of people with Domestic Abuse and Substance Misuse Problems](#) is designed to assist domestic abuse and substance misuse care planners, commissioners and providers, to establish robust links between domestic abuse and substance misuse services which will provide a seamless care pathway for all clients.

The [Wales Safeguarding Procedures 2019](#) includes the [All Wales Practice Guidance on Safeguarding Children and Young People Affected by Domestic Abuse](#) to support practitioners in responding to concerns.

The Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill is a key priority for the Welsh Government. Alongside a package of additional policy measures, it will build on the progress made under the 'Right to be Safe' Strategy (2010), for tackling all forms of violence against women and domestic abuse, which includes advice on 'enhancing our response in schools.' The draft legislation focuses on three specific areas: improving leadership and accountability, improving education and awareness, and strengthening services in Wales. Statutory guidance to support the legislation will be published when the legislation becomes law and the Welsh Government will consider how this guidance might impact on safeguarding arrangements in education.

## **Link between domestic abuse and child abuse**

There is a strong link between domestic abuse and the abuse and neglect of children. One in three child protection cases shows a history of domestic violence to the mother. Young people in violent households are three to nine times more likely to be injured and abused, either directly or while trying to protect their parent. One in five child abuse cases dealt with by the NSPCC involves domestic abuse. In ninety percent of those cases, young people are present in the home and are affected while abuse is going on; and in about half the cases, there is abuse to the young person too.

## **Responding to concerns**

Where school staff have cause to believe that a young person is at risk from, is the subject of, or is living in a household with violence or abuse, the DSP should be informed immediately and action taken in accordance with the [Wales Safeguarding Procedures](#).

When the abuse is between adults in the household, the young person can be provided with advice on who can help, including local police, local domestic abuse advocacy services (please refer to locally produced information), the All Wales Helpline (0808 8010 800) or children's social service departments.

The National Training Framework for Wales on gender-based violence, domestic abuse and sexual violence will set out the level of training appropriate for education-based staff. All relevant professionals must be able to 'Ask and Act' in relation to gender-based violence, domestic abuse and sexual violence. In practice, this means that all professionals likely to come into contact with those who may be experiencing abuse can identify the indicators of this experience and respond appropriately to that person.

## **Proactive approaches**

Prevention work should be integrated, where practical, into all aspects of school life and addressed at all appropriate points in the curriculum, for example in English, Welsh, Religious Education and [Personal and Social Education \(PSE\)](#). High quality PSE helps to create a positive school ethos where pupils have a safe environment in which to learn and have the opportunity and confidence to share concerns with others. Discussing the issues and listening to the views and opinions of peers can help change attitudes and provide support. When discussing sensitive issues within PSE or any school context, these need to be presented in a balanced way and ethical issues discussed objectively. However, it is equally important to equip learners to take responsibility for their behaviour in their personal relationships and how to recognise inappropriate behaviour.

## **23 Physical contact with pupils, including restraint**

### **Duties and guidance**

[Under section 93 of the Education and Inspections Act 2006](#) all school staff are able to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- causing personal injury to, or damage to the property of, any person (including the pupil himself)
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, abolished by Section 548 of the Education Act 1996.

In 2005 the Welsh Government issued the [Framework for Restrictive Physical Intervention Policy and Practice](#) to provide advice to all statutory agencies to enable a common framework of principles and expectations. In 2014 specific guidance to education services on [Safe and effective intervention: The use of reasonable force](#) and searching for weapons was issued.

A school's policy on use of force should be consistent with, but not necessarily part of, its behaviour policy. The Welsh Government guidance on the promotion of positive behaviour and school behaviour policies can be found in the [Inclusion and Pupil Support Circular 47/2006](#). It should also be consistent with the school's policies on child protection and health and safety.

## **24 Radicalisation**

### **Duties and guidance**

In 2011, Welsh Government published guidance [Respect and resilience: Developing community cohesion – a common understanding for schools and their communities](#) which sets out the role that schools have in developing and supporting strategic approaches to promoting and maintaining community cohesion and eradicating violent extremism.

In 2012 the UK Government launched a refocused [Prevent](#) strategy. This strategy contained objectives to:

- respond to the ideological challenge of terrorism and the threat from those who promote it



- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation that we need to address.

**Channel**, a key element of the **Prevent** strategy, is a multi-agency approach to protect people at risk from radicalisation. Channel is about safeguarding children and adults from being drawn into committing terrorist-related activity. Channel uses existing collaboration between statutory safeguarding partners (such as local authorities, the police, the NHS and youth and offender management services) to:

- identify individuals at risk of being drawn into terrorism
- assess the nature and extent of that risk
- develop the most appropriate support plan for the individuals concerned.

For more information about the Home Office’s radicalisation awareness training product Workshop to Raise Awareness of Prevent (WRAP) email [WRAP@homeoffice.x.gsi.gov.uk](mailto:WRAP@homeoffice.x.gsi.gov.uk). If you have a concern about a child in respect of extremism and the support options are not available locally, talk to your LSCB police representative who will be able to discuss support options.

To report suspected online terrorism content please follow this [link](#). You can also refer content of concern directly to social media platform – find out how on <http://www.saferinternet.org.uk/advice-and-resources/teachers-andprofessionals/safety-features>

## **25 Sexually active young people**

The **Sexual Offences Act 2003** sets the legal age for sexual activity at 16. It further states that children under the age of 13 are of insufficient age to give consent to sexual activity. In law, sexual activity with a child under the age of 13 years is a serious offence and reflects society’s view that children of less than 13 years of age should not be sexually active and that their level of vulnerability to exploitation and sexual grooming is potentially significant.

All young people, regardless of gender, or sexual orientation who are believed to be engaged in, or planning to be engaged in, sexual activity must have their needs in respect of their health, education, support and/or protection assessed by the agency involved. This assessment must be carried out in accordance with the **Wales Safeguarding Procedures**. Professionals working with young people should be fully aware of the 5 points of the Fraser guidance in respect of the young person’s capacity:

- the young person will understand the professional's advice
- the young person cannot be persuaded to inform their parents
- the young person is likely to begin, or to continue having, sexual intercourse without contraceptive treatment
- unless the young person receives contraceptive treatment, their physical
- or mental health, or both, are likely to suffer

- the young person's best interests require them to receive contraceptive advice or treatment with or without parental consent.

## **Duties and guidance**

The [Wales Safeguarding Procedures 2019](#) includes a protocol on safeguarding and promoting the welfare of sexually active young people (chapter 5.4), and is designed to identify where these relationships may be abusive and where children and young people may need to be safeguarded.

## **Children under the age of 13**

Under [the Sexual Offences Act 2003](#) children under the age of 13 are of insufficient age to give consent to sexual activity. In all cases where the sexually active young person is under the age of 13, a full assessment must be undertaken by the agency involved. Each case must be assessed individually and consideration must be given to making a child protection referral to social services.

A decision not to refer to social services can only be made following discussion of the case with the child protection lead within the professional's employing agency. When a referral is not made, the professional and agency concerned is fully accountable for the decision and the reasons for the decision must be clearly recorded.

When a girl under the age of 13 is found to be pregnant, a referral must be made to social services where an initial assessment will be completed and a strategy meeting or /discussion will take place, which will include representatives from health and education.

[Safeguarding Children: Working Together Under the Children Act 2004](#) (chapter 8, paragraph 8.29) states that where agencies have concerns that a criminal offence might have taken place then the case should be referred to the police without delay.

## **Young people aged between 13 and 16**

The [Sexual Offences Act 2003](#) reinforces that, while mutually agreed, non exploitative sexual activity between teenagers does take place and that often no harm comes from it, the age of consent should still remain at 16. This acknowledges that this group of young people is still vulnerable, even when they do not view themselves as such.

Sexually active young people in this age group will still need to have their needs assessed using the All Wales protocol. Discussion with social services will depend on the level of risk or need assessed by those working with the young person. Consideration should be given to making a referral if the young person becomes pregnant or has a miscarriage or planned termination.

This difference in procedure reflects the position that, while sexual activity under 16 remains illegal, young people under the age of 13 are not capable of giving consent to sexual activity.

## Young people aged between 17 and 18

Although sexual activity in itself is no longer an offence over the age of 16, young people under the age of 18 are still offered the protection of child protection procedures under the [Children Act 1989](#). Consideration needs to be given to issues of sexual exploitation through prostitution and abuse of power in circumstances. Young people can still be subject to offences of rape and assault and the circumstances of an incident may need to be explored with a young person.

For young people over the age of 16 and under the age of 18, there will be an imbalance of power and the child or young person will not be deemed able to give consent if the sexual partner is in a position of professional trust or is a family member as defined by [the Sexual Offences Act 2003](#).

## 26 Substance misuse

The Advisory Council on the Misuse of Drugs' (ACMD) report [Hidden Harm – Responding to the needs of children of problem drug users](#) estimated that there could be as many as 17,500 children and young people in Wales living in families affected by parental drug misuse, and that 64,000 Welsh children may be adversely affected by parental alcohol problems.

### Duties and guidance

Chapter 9 of [Safeguarding Children: Working Together Under the Children Act 2004](#) includes a section on safeguarding the children of substance misusing parents.

The Welsh Government's [Substance Misuse Delivery Plan 2013 – 2014](#) supports its 10-year strategy [Working Together to Reduce Harm: The Substance Misuse Strategy for Wales 2008-2018](#) and sets out the actions to be taken to reduce the harm caused by substance misuse.

[Guidance for Substance Misuse Education](#) was published in July 2013. The [guidance](#) provides detailed information relating to the delivery of appropriate substance misuse education according to curriculum requirements and specific need, and substance misuse incident management including support, legislation and good practice.

[Working Together to Reduce Harm: The Substance Misuse Strategy for Wales 2008-2018](#) places particular emphasis on prevention work with children and young people in relation both to alcohol and other substances. The Welsh Government aims to reach a position where no-one in Wales is ignorant either of the consequences of misusing drugs or alcohol, or where they can seek help and support.

School-based counselling services also provide personal support for children and young people who wish to discuss their problems, including substance misuse, with an independent adviser. The Welsh Government's [National Strategy on School based Counselling Services in Wales](#) highlights the need for counselling services to develop protocols for working with other agencies, including referrals to substance misuse agencies.

The Welsh Substance Misuse Helpline, [DAN 24/7](#), provides easy access 24 hours a day to information and advice, including where to access further support or treatment.

## 27 Suicide

### Duties and guidance

[Talk to Me: the national action plan to reduce suicide and self harm in Wales](#) was published in 2009. The action plan is aimed mainly at people who are at highest risk. The plan has seven key commitments and these are to:

- promote mental health and wellbeing
- deliver early intervention
- respond to personal crisis
- manage the consequences of suicide and self harm
- promote learning and research and improve information on suicide and
- suicide prevention
- work with the media to ensure appropriate reporting on mental health and suicide
- restrict access to the means of suicide.

The [Help is at Hand](#) self-help guide is for the benefit of those bereaved by suicide and was published in 2013. It is aimed at a wide range of people who are affected by suicide or unexplained death, not just relatives or friends, but also healthcare and other professionals who come into contact with bereaved people, to assist them in providing help and to suggest how they themselves may find support if they need it.

## 28 Teenage intimate partner abuse

There is emerging evidence that abuse within young people's relationships at least mirrors the levels of prevalence seen in adult relationships and the data which outlines significant levels of high risk abuse.

Recent work by Co-ordinated Action Against Domestic Abuse (CAADA) found most teenage victims in the study were experiencing abuse perpetrated by a current or ex-intimate partner and were not living with the perpetrator. Teenage victims were more likely than adult victims to be abused by more than one perpetrator.

Young person relationship abuse affects both genders, although more girls reported that the abuse was repeated and that severity worsened after the relationship had ended. Girls also reported a greater negative impact on their welfare than boys. Although research findings show that girls experience this type of abuse more frequently than boys, they experience the impact differently. Girls report a much more significant negative impact whereas boys tend to minimise the impact of violence. Boys also tend to minimise their own use of violence and may refer to it as 'messing around' (NSPCC 2009).

Boys are also affected by gender stereotypes and may feel under pressure to behave in an overtly masculine or 'macho' way towards girls and women. Gender equality education can help to address the media portrayal of both genders and help to engage both boys and girls to identify healthy and unhealthy relationships.

Abuse may take the form of physical, sexual, emotional and overtly controlling behaviour, which might involve stopping the young person from seeing their friends or going out, telling them what they can and cannot say, threatening them or isolating them from friends and family.

### **Risk indicators**

Education professionals may not directly witness any of these behaviours, but may see signs that a young person is in an abusive relationship.

Experiencing relationship abuse can have a detrimental effect on the young person's educational participation and achievement. They may start missing lessons or not completing homework, and the quality of their work may suffer. If a young person doesn't feel safe they may avoid coming to school altogether or stay late rather than having to meet their girlfriend/boyfriend outside school.

### **Responding to concerns**

Concerns should be reported in the same way as all other safeguarding issues. The NSPCC and the Association of Teachers and Lecturers have written a checklist for developing relationship abuse policies within schools. It is available at:  
[www.nspcc.org.uk/relationshipabuse](http://www.nspcc.org.uk/relationshipabuse).

Abuse in young people's relationships tends to escalate more quickly than adult relationships and is likely to be as or more severe in its nature. Whilst schools and colleges can provide safe havens for young people at risk, it is also possible that a victim and the person who is abusing them will attend the same school or college and/or be part of the same social circle.

### **Proactive approaches**

Teaching what constitutes a healthy relationship, through sex and relationship education, is central to safeguarding. Implicit within this is challenging stereotypes, such as female passivity and male aggression, and recognising that relationship abuse can happen to anyone, no matter what their gender, social background or sexual orientation.

As part of the safeguarding response to relationship abuse, schools should identify strategies to support pupils who demonstrate abusive behaviour to change their behaviour. These strategies could include involvement of parents, if appropriate, referral to counselling and other forms of support, or locating a specific programme for young people who are abusive in their relationships.

## **29 Health and Safety**

The school has a Health and Safety Policy which is monitored regularly by the school Governing Body. The Headteacher and Governors oversee the Policy and staff are required to report any concerns to the Headteacher who will either carry out or arrange an initial examination, assessing what remedial action needs to take place. The Policy addresses fire drills, and efficient emergency evacuation from the building, health and safety risk assessments, fire risk assessments and procedures for addressing critical incidents.

## **30 Equal Opportunities**

The school's statement on Equal Opportunities states:

*At Brynhafren C.P. School we seek to develop the particular abilities of each pupil as an individual. We are committed to the elimination of unfair discrimination and the provision and promotion of equality of opportunity for all in education.*

*We will strive to ensure that no pupil or member of staff receives less favourable treatment on the grounds of sex, marital status, age, language, colour, race or ethnic origin, socio-economic status, sexual orientation or disability.*

This statement is published in the School Prospectus and the school's Equal Opportunities Policy.

Children with disabilities must be able to take a full and active part in every lesson and every measure must be taken to ensure this. Further details are provided within the school's Equal Opportunities Policy, which is published as a separate document.

## **31 Harassment and Discrimination**

The school's response to issues of harassment and discrimination is included within the Equal Opportunities Policy/are addressed in a separate document.

The school will not tolerate any issues of harassment and discrimination, whether carried out by adults or children, and its response to such issues is included within the above Policy.

## **32 Racist Abuse**

Along with its Equal Opportunities Policy, the school also has a Race Equality Policy. It is important to the Governing Body for pupils at the school to be prepared to live in an ethnically diverse society. The school will make every effort to promote racial equality and harmony by preventing and challenging racism. Racism is tackled in both the RE and PSE curriculum and further information regarding the strategies used by the school to address allegations of racism are set out in its separate Race Equality Policy. The children take part in

discussions designed to raise awareness and address prejudices. From time to time, visitors work with the children also and all racist incidents are reported to the Local Authority and Governing Body when they occur.

### **33 Drug and Substance Abuse**

The school maintains a separate Drug and Substance Misuse Policy, which is linked to the school's Behaviour Policy, and provides appropriate support for any children who may be involved in drug and substance abuse. In addition, these issues are addressed, on a regular basis, as part of the curriculum and further details are provided in the school's separate policy on Drug and Substance Abuse.

### **34 First Aid**

**The school has trained members of staff who take responsibility for First Aid. The staff responsible for First Aid are:- Alison Ellis, Sam Rees and Jackie Wilkes. In addition to this nearly all school staff are trained in basic first aid**

First Aid equipment is stored in the office and staffroom and a travel First Aid kit is available for off-site activities. Detailed procedures as to action to be taken in the event of an accident or a child falling ill are included within the First Aid Policy which is a separate document.

### **35 Pupils with Medical Conditions**

The school's stance in relation to the administration of medication is that members of staff will only give medicines when the parent has completed and signed the appropriate form requesting that staff administer medication; the decision to meet the request is at the discretion of the Headteacher/or members of staff will only give medication when the requirement is set out in a Healthcare Plan provided through the school Nursing Service. Teachers are entitled to refuse to administer medication and, in the event of a pupil attending the school who requires medication, either on a regular or emergency basis, arrangements will be made for non-teaching staff to administer the medication if teachers are not prepared to undertake this task. Appropriate training is provided for staff required to administer such medication as diazepam, midazolam, epipens etc.

For matters of an intimate nature, arrangements for support of such pupils within the school will be agreed prior to admission of the pupils and every effort will be made to maintain the dignity of the young person involved.

Further details in relation to administration of medication are provided in the school's Administration of Medication Policy which is a separate document and is based on Welsh Government Circular No: 003/2010 Access to Education and Support for Children and Young People with Medical Needs.

### **36 Sex and Relationships Education**

The provision of sex and relationships education is addressed through a separate policy covering this aspect.

### **37 Safeguarding in the Curriculum**

The school's curriculum addresses Safeguarding issues in two ways. In the first instance, the curriculum, in subjects such as personal and social education, discusses relevant issues with the children and topics such as drugs, sex and relationships, are included within this subject. Children are encouraged to explore and discuss these issues. Secondly, the curriculum is designed so that safety issues within each subject are discussed and safe practices taught for example using equipment properly in PE and Design and Technology. The school audits all its schemes of work to ensure that Safeguarding is addressed. At all times, appropriate staffing levels are provided within the teaching environment and, when children are taught offsite, the required adult: pupil ratios are maintained. The school will use visiting speakers, where appropriate, in order to enhance the learning experiences of the children and young people.

### **38 Safety on Educational Visits**

**The member of staff responsible for educational visits is: Alison Ellis.**

All educational visits are carried out in accordance with the Authority's guidance on undertaking educational visits and this guidance includes adult ; pupil ratios, the organisation of transport, ensuring a CRB check of the transport driver, appropriate comfort breaks, appropriate curricular opportunities, and means of emergency communication. Further details are provided in the school's Educational Visits Policy, which is a separate document.

### **39 Welfare of Pupils on Extended Vocational Placements**

Where a pupil is involved in ongoing work experience or other vocational placements, the school will make regular visits to the young person to ensure their welfare is being maintained. The young person will be encouraged to report any concerns and issues of work experience are addressed in a separate policy.

**The school's contact for work experience and other vocational placements is: Alison Ellis.**

### **40 Site Security**

The school makes every effort to provide a secure site and therefore, all people on the site have to adhere to the rules that govern it. The arrangements for maintaining site security are as follows:-

(This section should cover arrangements for receiving visitors and allowing them on to the school premises, arrangements for children to be allowed off-site during the school day, arrangements should a child leave the school site without permission, arrangements for addressing issues where the conduct of a visitor is inappropriate).



#### **41 Attendance**

It is recognised that children who truant by either not attending school when their parents believe that they are there or who abscond from school without permission, place themselves at risk and, therefore, the school maintains a separate Attendance Policy. This addresses such issues as procedures for parents to report the illness of a child, contact with the home in the event of an absence, the involvement of the Education Welfare Officer, publication of attendance rates and reporting of information, in respect of attendance to the Governing Body and the Local Authority. In addition, it includes positive measures to encourage children to attend regularly and punctually at the school. It also makes reference to the Authority's entitlement to take legal action against parents who do not ensure good attendance and punctuality.

#### **42 Safe Recruitment**

The school adheres to the Authority's guidance in relation to safe recruitment and this includes the involvement of a Governor or member of staff who has undertaken Safer Recruitment training, provided by Powys Human Resources, on all appointment committees, the inclusion of safeguarding questions in the interview and the taking up and retention of written references for successful candidates. The headteacher ensures that all staff, governors and volunteers working with children are in possession of a valid DBS certificate. Arrangements for recruitment are set out in a separate recruitment policy.

#### **43 Induction**

All new members of staff and new volunteers are provided with induction in relation to their role and this induction, either before the role is taken up at the school or immediately after the role is taken up at the school includes being given a copy of the Powys Local Safeguarding Children Board publication entitled 'A Quick Guide to Child Protection, Protecting and Caring for the Children and Young People of Powys'. It is expected that this will be read by the member of staff/ volunteer, and a signature obtained to prove that they have read the document. Understanding of the document will be clarified through a conversation between the member of staff/volunteer and the Designated Teacher for Child Protection, or their Deputy.

#### **44 Welcoming Visitors**

Arrangements for the welcoming of visitors are included within the site security arrangements, referred to above.

#### **45 Behaviour and Discipline**

Issues of behaviour and discipline are addressed in separate policies and these include such issues as rewards for appropriate behaviour and sanctions where behaviour is inappropriate.

#### **46      Photographing and Videoing**

The issue of photographing and videoing school events is addressed in a separate policy.

#### **47      Whistleblowing**

Whistleblowing is covered in a separate policy. If members of staff have any concerns about the behaviour or intentions of any person within the building, school grounds or in the proximity of children, they have a professional duty to inform the management accordingly. This can be done in writing or verbally but staff should be prepared to discuss issues in the confidence that any such matter will be dealt with sensitively and with the necessary degree of confidentiality.

#### **48      Communication with Parents and Learners**

The school makes parents aware of its Safeguarding Policy and Procedures, and the need to share information with other agencies if necessary, when admitting pupils. On admitting pupils, the school will also seek clarification as to who has parental responsibility, in respect of the pupil, and, in relation to non-custodial parents, will ensure that they receive their entitlement in respect of information regarding school events, as provided to any other parent, and reports on progress in respect of the pupil(s) concerned. Learners are made aware of what to do if they have a concern through discussions in PSE lessons and information posters placed around the school.

#### **49      Activities beyond the School Day**

All school activities which extend beyond the school day, including breakfast clubs, out of school clubs, lunch time activities and educational visits, are fully covered by the school's Safeguarding and Child Protection policies. Any issues of a Child Protection concern and consideration of Safeguarding matters that relate to these activities, are responded to in accordance with the school's Child Protection Policies and Procedures. When outside bodies make use of the school premises, outside of the school day, for example community activities on school premises, the organisers of these activities must assure the headteacher and the designated teacher for Child Protection that they have in place appropriate Child Protection and Safeguarding policies which reflect the All Wales Child Protection Procedures if their activities involve children. The governing body reserves the right to terminate agreements for the use of the school premises, outside of the school day, where it is their responsibility, if they become aware of failings in terms of Child Protection or Safeguarding. In instances where the governing body does not have the authority to terminate the arrangement, it will ensure that such matters are referred, as a matter of urgency, to the controlling body.

#### **50      Complaints**

The school has in place a Complaints Procedure, which is based on the model included in Welsh Government Circular: 011/2012, *Complaints Procedures for School Governing Bodies in Wales*, and, in addition, has complaints information for children so that children, staff and

the public are able to submit their complaints, in respect of the school, including Safeguarding complaints and concerns that Safeguarding action has not been taken.