

P63 Safeguarding & Child Protection Policy

This should be read in conjunction with our P75 Prevent Policy and the P42 Whistle-Blowing policy.

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1 THE SAFEGUARDING TEAM

Learners can contact the Safeguarding Team directly using the contact information below to get support or guidance.

E-mail: safeguarding@tchc.net

Phone: 01923 698340 option 9

Role	Contact	Areas covered
Alex Pazik Safeguarding Manager	safeguarding@tchc.net 07732 684738	<ul style="list-style-type: none">• Staff, volunteers, and associates• Youth Programmes• Adult Programmes including Apprenticeships• Justice and Partnerships
Claire Jeens Quality Director	safeguarding@tchc.net 07545924586	All
Nicola March DSL	safeguarding@tchc.net	All

***If your local DSL is unavailable, keep trying, then contact another DSL so that you can receive advice.**

2 SCOPE OF POLICY

TCHC GROUP LTD has a whole company approach to safeguarding and promoting safeguarding and the welfare of children, young people and vulnerable adults at risk including preventing their abuse. This policy is always promoted through our company safeguarding culture and 'it could happen here' approach. This policy is available publicly on our website.

All staff, volunteers, and associates are committed to safeguarding and this policy, at all levels within TCHC. This policy can be found on BrightHR. Everyone must follow this policy, including, our staff, volunteers, associates, learners, employers, and partners.

Everyone working for TCHC has a responsibility to read and familiarise themselves with this policy and the procedures that go with it. Everyone working for us must put the safety and welfare of children, young people, and adults at risk first in all aspects of their work.

Everyone who works for us must inform their Line Manager, if they or any adult living in their household become(s) the subject of an allegation involving a safeguarding concern or abuse against a child or vulnerable adult. If anyone is in doubt whether the situation or allegation is relevant, they should speak with the Health, Safety and Safeguarding Manager in the first instance.



The aims of this policy are to:

- Provide effective safeguarding to our learners
- Protect learners and prevent abuse towards them
- Inform staff, volunteers, and associates to report safeguarding concerns as per this policy
- Inform staff, volunteers, and associates in teaching roles they have a duty and responsibility to teach learners about Safeguarding (including online safety) and Prevent

In 2020 the Keeping Children Safe in Education statutory guidance recognised that mental health issues can be a serious indicator of abuse and neglect.

This policy has been developed in accordance with the following guidance and legislation:

[Working Together to Safeguard Children](#)

[Keeping children safe in education 2022](#)

[Sexual violence and sexual harassment between children in schools and colleges](#)

[Care Act 2014](#)

[Care and support statutory guidance](#)

[Revised Prevent duty guidance: for England and Wales](#)

[Channel and Prevent Multi-Agency Panel \(PMAP\) guidance](#)

[The Children, Young Persons and their Families Act, 1989](#)

[Equality Act 2010](#)

[Modern Slavery Act 2015](#)

[Keeping learners safe 2015](#)

[Children and Social Work Act 2017](#)

[Protection of Freedoms Act 2012](#)

[What to do if you're worried a child is being abused](#)

[Children Act 2004](#)

[Childcare Act 2006](#)

[Safeguarding Vulnerable Groups Act 2006](#)

[Every child matters](#)

[Counter-Terrorism and Security Act 2015](#)

[Education and Training \(Welfare of Children\) Act 2021](#)

[Help after rape and sexual assault](#)

[How to report rape and sexual assault](#)

[Inspecting safeguarding in early years, education and skills settings](#)

[Information sharing advice for safeguarding practitioners](#)

*to access the links above press Ctrl and Enter

3 POLICY STATEMENT

All have a legal responsibility to take seriously any concerns about neglect or abuse that come to their attention and to follow the procedures set out within this policy. Learners who have concerns about their peers or the behaviour of people towards them can use this policy to ensure they are taken seriously.



We have a duty to act if there is a cause for concern and to notify the appropriate agencies, so that they can investigate and take any necessary action. Any suspicion, allegation or incident of abuse must be reported as soon as possible and in any event within 2 hours to the Health, Safety and Safeguarding Manager who has responsibility for the safeguarding arrangements.

4 DEFINITIONS

4.1 Who is responsible for safeguarding at TCHC GROUP LTD?

Safeguarding is everyone's responsibility regardless of job role, contracted hours, or department. Learner safeguarding must come first. All staff have an important role to play in proactive prevention and response to safeguarding issues.

4.2 Designated Safeguarding Lead (DSL)

The DSL has direct responsibility for the safeguarding practices of TCHC Group LTD:

- To be alert to and recognise safeguarding issues
- To raise and share your concerns
- To share information with other where necessary
- To know when to make referrals to social care
- To contribute towards any plans, meetings, and decisions about a learner
- To speak to the parent, carers, or child about the concerns if suitable
- To recognise the importance of safer recruitment and staff, volunteers, and associates conduct
- To participate in regular training
- To ensure staff, volunteers, and associates are trained in safeguarding
- To ensure safer recruitment practices are carried out
- To challenge poor practice in the workplace
- To ensure effective policies and procedures are in place

*This is not intended to be an exhaustive list.

4.3 Child

A child is defined as 'anyone who has not yet reached their 18th birthday', including unborn children right up to teenagers.

4.4 Child with SEND

A child with special educational needs and disabilities, there can be additional barriers when recognising abuse and neglect in children with SEND.

4.5 Adult

An adult is defined as anyone who is over the age of 18.

4.6 Child in Need (CIN)

A child in need is defined under the Children Act as 'A child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services.; or a child who is disabled'.

The child's needs are high level or complex needs, longer term intervention from services is highly likely.

Examples include families where the care of a child is felt to be inadequate or children with mental health issues.

4.7 Low level needs

Low-level needs are where the needs of the child are relatively minor and where services may be able to take swift action to prevent the problem from escalating.

Examples include regularly missing class, poor behaviour, the family need help accessing services.

An Early Help Assessment (EHA) may be requested by social care carried out by a lead professional who already provides support to the child and family such as a GP, support worker, teacher or health visitor to help identify what the child's needs are and to learn which services are required which is usually triggered by concerns. It also needs to be undertaken in agreement with the child and their parents or carers and must involve the child, family, and other professionals. EHAs are usually for children with low-level or emerging needs.

4.8 Emerging Needs

Emerging needs are where a child requires a range of services to respond to their needs, such as education, health, housing, or police services. For example, misusing substances, inadequately clothed or pregnant.

4.9 Complex needs

Complex or serious needs are where a child could be at risk of serious harm, or their development damaged, if help and services are not provided. Where a child has complex needs it is likely the problems will need resolving urgently. Multiple agencies should be involved to help which will require coordination from social care.

4.10 Child Protection Concerns

Child protection concerns are where there is reason to suspect a child is suffering, or likely to suffer, significant harm because of abuse or neglect. The need to help the child is immediate. If any child protection concern is reported to a DSL it must then be referred to the local social care team.

Examples include unexplained injuries, suffering from neglect, had contact with someone who has been identified as a risk to children, at risk from sexual abuse.

4.11 Significant harm

The highest level of the safeguarding structure, this includes children requiring urgent or emergency protection.

In cases where the risk is severe, the child may be removed from home either by court order, police protection powers or by an agreement reached with the parents.

DSLs should work with the professional who has the concern to telephone social care without delay, following the LSP procedures. The referral then must be followed up in writing. The police should then be contacted if the concern involves a criminal act.

4.12 Operation Encompass

This safeguarding arrangement operates in the vast majority of police forces in England. The arrangement means that, when police are called to an incident of domestic violence where the children in the household who have experienced the abuse, they will inform the lead professional which is usually the DSL before the child arrives for education the next day.

5 SEND

Children with SEND do not have identical needs. Ensuring their safeguarding requires us to consider their individual needs, strengths and difficulties. We must learn, know and listen to the children.

It is important that a child's voice is heard. Many children with SEND have communication difficulties. Any child who is dependent on others to support them to express their needs is at risk of being misinterpreted or silenced. This is a particular issue in educational settings and parents often need to advocate for children, explaining and supporting their communications with other practitioners, especially when children use alternative communications strategies.

Behaviour is communication, particularly when we cannot use words to express our needs or worries. Changes in behaviour are a key indicator of a safeguarding need. All changes in a child's behaviour should be considered and questioned.

6 TYPES OF ABUSE

6.1 Physical Abuse

- Any use of violence e.g. hitting, pushing, pulling, kicking, spitting, biting, shoving, tripping up, 'accidentally' banging into someone
- Damaging, stealing, taking, hiding belongings and/or throwing them around e.g. money (taxing), belongings or coursework
- Forcing someone to take drugs.

6.2 Emotional abuse

- Ignoring, excluding, tormenting, insensitive jokes or pranks, damaging property belonging to another person, demanding money or property.

6.3 Sexual Abuse

Sexual violence is where a vulnerable person has not consented or could not consent or was pressured into consenting, into carrying out sexual acts on someone or having sexual acts performed on them. Including, rape, assault by penetration and sexual assault.

Sexual harassment, such as sexual comments, jokes, remarks, and online sexual harassment.

Sexting also known as youth involved sexual imagery.

Sexual violence and harassment and harmful sexual behaviour response within this policy is informed by research and conversations with police and social care settings.

6.4 Neglect

- Including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

6.5 Financial Abuse

- Including theft, fraud, exploitation, making them beg for money, forcing people to commit crimes for money, pressure in connection with wills, property or inheritance of financial transactions, or the misuse or misappropriation of property, possessions, or benefits.

6.6 Verbal abuse

- Name calling, teasing, threats and intimidation, taunting, mimicking, sarcasm, being generally 'unfriendly', making someone look silly and making things up to get someone in trouble
- Ridiculing particular customs, music, accents or the dress of anyone from a different culture
- Offensive, racist graffiti, making silent or abusive phone calls and unkind practical jokes.

6.7 Silent bullying

- Ignoring someone/leaving them out, preventing someone from joining in, the spreading of rumours, threatening gestures and following someone around.

6.8 Racist bullying

- Racial taunts, graffiti, gestures
- Refusal to work with others because they are from a different culture.

6.9 Stalking

- Continued unwanted attention through personal contact (directly with you through your friends and family) telephone calls letters, emails, text messages and internet chat rooms.

6.10 Cyber bullying

- All areas of the internet, such as email, social media and internet chat room misuse e.g. posting insulting notices about someone
- Sending abusive text messages or emails
- Misuse of associated technology – e.g. camera and video facilities
- Happy slapping – the practice whereby a group of people assault a stranger at random while filming the incident on a mobile device, to circulate the images or post them online.

6.11 Mate crime

- Mate crime is defined as the exploitation, abuse, or theft from any vulnerable person by those they consider to be their friends
- Those that commit such abuse or theft are often referred to as 'fake friends'.

6.12 Child criminal exploitation

Common in county lines and occurs where a person or group of people take advantage of a child or young person under the age of 18 by abusing their power using threats or coercion.

6.13 Child sexual exploitation

Similar to child criminal exploitation, child sexual exploitation has a difference that it involves acts of a sexual nature which include grooming, youth involved sexual imagery and sexual harassment/violence.

6.14 Mental health

Be aware mental health problems are in some cases indicators of abuse.

6.15 Useful links

[Mencap](#)

[Online sexual abuse](#)

[Are You A Victim Of Online Blackmail Or Sextortion?](#)

[Preventing youth violence and gang involvement](#)

[Criminal Exploitation of children and vulnerable adults: County Lines guidance](#)

[Consent](#)

[Sexual harassment](#)

[What Is Cyberbullying](#)

[Domestic abuse: get help during the coronavirus \(COVID-19\) outbreak](#)

[Upskirting: know your rights](#)

[Mental health and wellbeing](#)

[Anti-bullying information](#)

[Workplace bullying and harassment](#)

[Female Genital Mutilation \(FGM\)](#)

[Forced marriage](#)

[Child sexual exploitation](#)

[Advice to parents and carers on gangs](#)

[Controlling or Coercive behaviour in an intimate or family relationship](#)

[Online Safety Guidance for Educational Settings](#)

[Children missing education](#)

[Preventing bullying](#)

[Drugs: advice for schools](#)

[Safeguarding children in whom illness is fabricated or induced](#)

[Hate](#)

7 ONLINE SAFETY AND DIGITAL EDUCATION

Technology has become a very real and dangerous component of many safeguarding issues. For example, child sexual exploitation; radicalisation; sexual predation. With online tools being used more and more for educational as well as social uses it is important we ensure learner, staff, volunteer, and associate safety is a priority when working online.

The three main areas are:

1. **content:** being exposed to illegal, inappropriate or harmful material; for example, pornography, fake news, racist or radical and extremist views.
2. **contact:** being subjected to harmful online interaction with other users; for example, commercial advertising as well as adults posing as children or young adults; and
3. **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending, and receiving explicit images, or online bullying.

All staff, volunteers, and associates are responsible for staying safe online and encouraging others to do the same. Teaching staff must embed this within their lessons and draw attention to the TCHC poster with top tips of how people can Stay Safe Online.



Remember to remove any personal items from the camera view, that may be people and encourage learners to use the blurred background on Teams so that their background is safe and free from falling into the wrong hands.

Set ground rules with learners that include online safety it is embedded into their learning. Include YouTube clips of sexting as an example. Hold discussions around online safety and include the do's and don'ts online, scenarios can be ideal for this as learners will need to think about what they would do in the same situations.

Make sure learners are aware of who they can report to both when in centre or appointments with you, but also share what they can do when they are at home and things happen. Check local resources and support groups or ask the Safeguarding Team for suggestions. For example, encourage learners to get creative and devise internet safety posters and/or leaflets to display in centres or workplaces if employers agree.

Any child under the age of 18 years old must have a parent, guardian, or carer present BEFORE any audio or visual footage of them is recorded by teaching staff unless consent has been provided by them beforehand.

No learner should be audio or video recorded without prior written consent, one consent form per learner will be sufficient for all lessons thereafter. Written consent should be gained at the start of their programme.

Please refer to TCHC's 'Protocol for Online Meetings' document for further information available on BrightHR.

Only approved video conferencing software should be used, for an updated list with security tips, please ask the Safeguarding Team.

8 SAFER RECRUITMENT

TCHC carries out safer recruitment checks on everyone that works for us.

- verifying identity and any academic or vocational qualifications
- obtaining professional and character references
- checking previous employment history
- ensuring that a candidate has the health and physical capacity for the job
- undertaking an interview
- undertaking any mandatory vetting and barring checks including where appropriate DBS and prohibition checks every three years of employment

Disclosure and Barring Service (DBS) enhanced checks are carried out by our HR department when new staff, volunteers, and associates join us.



All interviewees need to show an understanding of safeguarding that is relevant to the role that they are applying for, the interview panel are responsible for ensuring they cover safeguarding during any interviews.

Please refer to our 'P37 Recruitment Policy and Procedure' for further information.

8.1 Induction and training

TCHC will ensure that all staff, volunteers, and associates receive appropriate safeguarding and child protection training which is regularly updated and in line with advice from local Safeguarding Partnership recommendations. Furthermore, all staff members will receive regular safeguarding and child protection updates (for example, via staff meetings) as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children and adults.

All new staff members will take part in safeguarding and child protection training at induction. This will include training on the TCHC's Safeguarding and Child Protection Policy. All new starters are required to watch the TCHC Safeguarding induction video on joining the company and sign this off on their induction training checklist within one week of employment.

No staff, volunteers, and associates are permitted to be unsupervised with learners unless the following tasks have been completed and they have a valid enhanced DBS check.

- Safeguarding induction video has been watched and signed for.
- Training (safeguarding and child protection, online safety, prevent, sexual violence).
- The Safeguarding and Prevent Policies have been read on MyConcern.
- KCSiE Part 1 has been read on MyConcern.

All staff members undergo refresher training on safeguarding and child protection throughout their employment with TCHC, at least annually, to keep them up to date with current knowledge to safeguard children (for example, via e-learning and training).

I am a new employee and have already undertaken safeguarding training recently, do I have to redo it?

You must contact your DSL and ask them. Your DSL will ask you questions to establish when the training took place, how you attended the training, what proof you have of attending, what topics were covered to see if the training was of good quality and if it was fully understood.

A DSL will not agree to you being exempt from all training, if any is agreed it will only ever be for an element or two of the full training we provide.



8.2 Single central register

The HR department is responsible for ensuring the company single central record is always maintained.

HR must ensure there are no errors on the single central record and if there is a minor administrative error such as a missing date on the record or information that TCHC clearly hold but is not transferred onto the single central record this must be rectified within 2 working days or sooner. In all cases of errors identified then safeguarding@tchc.net must be notified the same day by email.

No allowances will be made for breaches to the requirements for the Disclosure and Barring Service (DBS) disclosures not being in place for staff, volunteers, and associates. New staff that join TCHC should complete and submit their application for an enhanced DBS by the HR department on their first day of employment and a risk assessment should be completed by the Line Manager/HR.

No staff, volunteers, and associates without an enhanced Disclosure and Barring Service (DBS) check should be left unsupervised.

The Health, Safety and Safeguarding Manager is responsible for spot checking the single central record throughout the year to ensure that statutory requirements are met.

8.3 Signing into TCHC premises

All external visitors to our centres and offices need to sign into the centre on arrival, wear an identification badge or label to identify themselves and should always be accompanied by a staff, volunteers, and associates.

9 RISK ASSESSMENTS

It is important when working with children, young people, and vulnerable adults that you are in possession of case history and as much background information as you can collect about them. This information will provide you with evidence of whether a formal Risk Assessment is carried out before engaging with that person.

When a Risk Assessment is carried out it must be recorded on the TCHC template which can be obtained from safeguarding@tchc.net.

Any external activities must be signed off by safeguarding@tchc.net at least one week before the activity is due to take place so appropriate measures can be put in place. The organiser is responsible for ensuring this process is adhered to.

Once approval has been granted the GAPS centre outlook calendar must be updated to show this activity is taking place, with the risk assessment and off-site register attached.

Any risk assessments must be made available to the Health, Safety and Safeguarding Manager as soon as completed.



10 PERSONAL AND PROFESSIONAL CONDUCT

10.1 Personal relationships

We recognise that, from time to time, close personal relationships may develop between members of staff, volunteers, and associates. To ensure that potential conflicts of interest are avoided, employees are required to inform their (line manager/HR department) of any relationship which may affect their work or compromise the business in any way.

No personal relationships are allowed with service users. If you have a prior personal relationship with a service user, before they became a service user, you must report this to your (line manager/HR department).

Any such information will be treated in the strictest confidence. We fully acknowledge the right of employees to privacy in their personal affairs. However, experience has shown that the effect of such relationships can cause a blurring of judgement whereby conflicts of interest arise.

10.2 Staff, volunteer, associate, and learner contact

Staff, volunteers, and associates are not permitted to see learners outside of the teaching/workplace environment.

Staff, volunteers, and associates are not permitted to add learners as friends on social media platforms such as Facebook. Staff and associates are not permitted to accept friend requests from learners.

No member of staff, volunteers, and associates are allowed to invite or accompany any learners in a private car. There may be extreme circumstances where teaching staff may need to accompany children, young people or adults at risk to another location e.g., home address or hospital. In this case they must contact the Safeguarding Team to inform them. Two staff members should escort learners. Where it is not possible for two staff members to escort a GAPS learner the Director of Youth Programmes must have provided approval for a staff member to go alone, and a risk assessment completed.

If an apprentice or short course learner falls ill and should go to hospital, then the Learning Coach or Tutor must involve their local DSL so that approval is granted ahead of any decisions being made. If the learner is in immediate danger the emergency services should be contacted first.

Staff and associates must liaise with the local authority where transport is provided for young people with EHCPs and the Safeguarding Team should be involved.

Staff, volunteers, and associates should not be accompanying learners on public transport such as trains, buses, and taxis etc. If this is necessary, then Health, Safety and Safeguarding Manager must be consulted.



Any formal education trips outside of the classroom must be approved by the Director of Youth Programmes prior to being formally arranged.

10.3 Physical contact with learners

All staff, volunteers, and associates must follow personal and professional conduct which includes no unnecessary physical contact with learners and vice versa. If you see something and feel safe to do so, please address it immediately.

Examples of unacceptable physical contact include but are not limited to:

- Tickling
- Stroking
- Playing with or styling hair
- Removing clothing
- Touching learners' skin in a suggestive way
- Invading personal space
- Or any other sexual conduct

Examples of acceptable physical contact include but are not limited to:

- 'No contact'
- Carrying out first aid

11 VOLUNTEERS

Leaders and Managers are responsible for ensuring that any volunteer has completed safeguarding training before carrying out any role within TCHC. The identity of the volunteer must be checked, and a copy retained by HR.

Where the volunteer has a current DBS check this must be supplied to the HR department and the volunteer's Line Manager. For cases where the volunteer does not hold a current DBS, the volunteer must obtain this at their own cost, unless otherwise agreed in writing by TCHC.

Any volunteering position is subject to two satisfactory references obtained by the HR department prior to commencement of any work experience.

A risk assessment should be completed by the Health, Safety and Safeguarding Manager once the volunteer has started their work experience.

The HR department is responsible for maintaining the Single Central Register with such information.



12 PARTNERSHIP AND SUPPLY CHAIN PARTNERS (SUB-CONTRACTORS)

All policies and processes outlined within our organisation's safeguarding and prevent policies applies to our partners. All partners must report any safeguarding concerns for TCHC learners the same day, including low-level concerns.

Please see our P66 Partnership and Supply Chain Management Framework Policy for further details.

13 REPORTING SAFEGUARDING CONCERNS

13.1 Using MyConcern

MyConcern must always be used to report safeguarding concerns.

All staff, volunteers, and associates must ensure that their e-mail preferences are turned on so that notifications, tasks, and messages can be received. If unsure, you must seek advice from the Health, Safety and Safeguarding Manager.

Any tasks set by DSLs on MyConcern must be completed timely, failure to do so may result in disciplinary action being taken against you.

In cases where staff leave the business, the Line Manager must take on the responsibility of informing the safeguarding department by their last day of employment. This will support the DSLs with making alternative arrangements for any open safeguarding cases.

13.2 Data protection

TCHC is ISO 27001 and Cyber Essentials Plus accredited and has robust processes in place to protect confidential information.

Data protection law does not stop you from sharing data for safeguarding purposes, just make sure that you protect information you share by using authorised systems or encrypted emails.

Any safeguarding concerns must be reported on MyConcern, so the information is stored safely and securely. It is a data breach to lose data, so be mindful to ensure you always report a concern following TCHC policy and procedure.

Please review [Information sharing advice for safeguarding practitioners](#) guidance where you have any reservations in sharing information.

Once TCHC has received a concern, it will be updated with feedback and filed when appropriate.

13.3 Confidentiality

The safety and well-being of the child or adult at risk is very important to us. Staff, volunteers, and associates are likely to have access to confidential information about learners to able them to



carry out their role and responsibilities. In some situations, staff, volunteers, and associates may be provided with highly sensitive information. They should never use confidential or personal information about a learner or their family for their own or others' advantage. Information must never be used to embarrass, humiliate, and intimidate a learner.

- All staff, volunteers, and associates must be aware that they can never promise a child/young person or adult at risk confidentiality, which might compromise the safety or well-being of the learner, or that of another.
- The DSL will disclose personal information about a learner to other staff, volunteers, and associates where it directly affects them or their everyday work. The DSL will make a judgement for each case about who needs and has a right to access particular information.
- All staff, volunteers, and associates must be aware that they have a professional responsibility to share information with other agencies to safeguard children/young people and adults at risk, in consultation with a DSL.
- Safeguarding records are subject to the Freedom of Information Act and the Data Protection Act. If there is any doubt as to the rights of any party to access information, TCHC may seek legal advice prior to releasing any information.

13.4 Not taking action

Failing to report concerns can have personal and organisational consequences and may result in disciplinary action being taken. Remember if you are called to an inquest or to attend a child safeguarding practice review, then it would be both your decision making and TCHC's reputation that are questioned.

Always remember it is understandable that you may be worried about reporting a concern of abuse. However, the consequences of failing to act could be a lot worse.

13.5 Additional staff, volunteers, and associates' responsibilities

Teaching staff are responsible for ensuring that they inform their DSL about any children that are classed as a child in need or on child protection plans as soon as they become aware.

The DSL should always be informed and asked to be involved in any child in need or child protection meeting concerning any TCHC learners.

Staff, volunteers, and associates or their Line Manager must always attend any such meetings and if they cannot for any reason the DSL must be notified.

No matter how a concern comes to your attention it's essential that you always respond appropriately.

- ✓ Remain calm and reassure the person that they have done the right thing by speaking up
- ✓ Listen carefully and give the person time to speak



- ✓ Explain that only the professionals who need to know will be informed, never promise confidentiality if the learner is at risk of harm or danger
- ✓ Act immediately, and **do not** try to address the issue yourself
- ✓ Remember that it is not for you to decide whether a suspicion or claim is true; all instances must be taken seriously
- ✓ Remember it is not your role to ask the person lots of questions: it's the responsibility of the social care or the police to find out more information

13.6 Reporting process

Step 1	You must FIRST contact our internal safeguarding team by telephone within 2 hours of the incident/disclosure, the internal Safeguarding Team must be contacted before any external agency. Unless there is immediate danger to the person/s concerned or public.
Step 2	If for any reason a DSL does not answer the telephone call within the 2 hours, you must contact a director. For example, Claire Jeens.
Step 3	You must report the safeguarding concern on MyConcern the same day (https://www.myconcern.education/Account/Login).
Step 4	The DSL will update MyConcern with advice at least within 24 hours of the safeguarding concern being reported on MyConcern.
Step 5	The DSL will discuss involving the social care team with you or if during evenings and weekends if the emergency duty team need contacting.
Step 6	Any further updates to the incident must be recorded on MyConcern under the existing case file.

Note: should you feel a learner, colleague, yourself, or any members of the public are in immediate danger, report to the police immediately and then contact the internal Safeguarding team.

13.7 Allegations against a member of staff

If the allegation or suspicion of abuse is discovered or disclosed by a learner or colleague, the member of staff will then inform a member of the safeguarding team who will notify the Managing Director, if the Managing Director is unavailable then the Board of Directors will be notified.

A member of staff discovering an allegation or suspicion of abuse will, report it to the Safeguarding Team who will notify the Managing Director, if the Managing Director is unavailable then the Board of Directors will be notified.

The HR department and the Safeguarding Team will carry out a risk assessment and contact other agencies, emergency services or Police, if appropriate.

Please refer to P42 Whistle-blowing Policy for further information.

Where there are allegations against staff it may be necessary to suspend them whilst an investigation is undertaken which may result in disciplinary action. No suspension should be invoked without a Director and the HR department being involved.

DSLs should contact the Local Authority Designated Officer (LADO).

14 MONITORING IT USAGE

All computer and laptop devices are monitored by our IT department and have filtering software installed to ensure that staff, volunteers, associates, and learners are kept as safe as possible when using our equipment. This means that learners, staff, and volunteers may be unable to access specific webpages as part of our company policy. If anyone has been blocked from a webpage that is suitable for viewing, they should contact our IT department and request that the webpage be whitelisted.

It is recommended that WIFI passwords are not displayed on walls in centres permanently as this provides access to TCHC's network. If a class is going to use the internet, we ask that the information only be displayed for the time needed and removed after use.

15 EXTERNAL SPEAKERS

TCHC believe that external speakers can enrich learner's formal education and other areas of the business by adding depth and breadth on a wide range of subjects.

All guest speakers should:

- Have been authorised by a TCHC Leader or Manager
- Where presentations are used, these must have been checked by TCHC staff before they are presented
- Follow the same signing in procedures as other visitors
- Always wear a VISITOR identification badge or label
- Not be left unsupervised by TCHC staff, volunteers, and associates
- Have their views challenged by TCHC staff, volunteers, and associates should they have any extreme views, whether political or religious



16 OUT OF HOURS TEACHING

At times there may be a need for teaching to take place outside of normal business hours (Monday to Friday 08:30am – 5:30pm), where this is the case an e-mail should be sent to safeguarding@tchc.net to inform of the reason, date and time and any agreed measures taken by their Line Manager.

When the training entry is created in the outlook calendar the safeguarding e-mail address (safeguarding@tchc.net) should be added as a required invitee. If anyone is unsure how to do this, please contact IT support.

Learners must always sign in when visiting an office or centre when they enter the building for security and safety reasons.

Any apprenticeship face to face learner visits must not take place out of hours without a risk assessment in place and agreement from the Director of Adult Programmes.

1 APPENDIX. MODERN SLAVERY

The Modern slavery awareness booklet from the Home Office published 17 October 2017 states 'Modern Slavery is a serious and often hidden crime in which people are exploited for criminal gain. The impact can be devastating for the victims. Modern slavery comprises slavery, servitude, forced and compulsory labour and human trafficking.' The UK has legislation, which is designed to tackle slavery and human trafficking, the **Modern Slavery Act 2015**.

Types of modern slavery

- Sexual exploitation
- Domestic servitude
- Criminal exploitation
- Labour exploitation

Victims of modern slavery can be men, women, or children. They can be any nationality; the most common nationalities are from:

- Albania
- Vietnam
- UK
- Nigeria
- China
- Romania
- Poland
- Eritrea
- India
- Afghanistan



Indicators of a potential victim may include:

- Distrustful of authorities
- Expression of fear or anxiety
- The person acts as if instructed by another
- Injuries apparently a result of assault or controlling measures
- Perception of being bonded by debt
- Passport or documents held by someone else
- Restriction of movement and confinement to the workplace or to a limited area
- Person forced, intimidated, or coerced into providing services
- Substance misuse
- Money is deducted from salary for food or accommodation
- Being placed in a dependency situation
- Inappropriate sexual behaviour
- Limited/sporadic school attendance (under 18s)
- No or limited access to bathroom or hygiene facilities

Please click this link to access for information about modern slavery:

<https://www.gov.uk/government/collections/modern-slavery>

2 APPENDIX. INFORMATION SHARING

The police hold important information about children who may be suffering, or likely to suffer, significant harm, as well as those who cause such harm. They should always share this information with other organisations and agencies where this is necessary to protect children. Similarly, they can expect other organisations and agencies to share information to enable the police to carry out their duties. All police forces should have officers trained in child abuse investigation.

Effective sharing of information between TCHC staff, associates, and local organisations and agencies is essential for early identification of need, assessment, and service provision to keep children safe.

Serious case reviews have highlighted that missed opportunities to record, understand the significance of and share information in a timely manner can have severe consequences for the safety and welfare of children, including death.

TCHC staff and associates should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children. Whether this is when problems are first emerging, or where a child is already known to local authority children's social care (e.g. they are being supported as a child in need or have a child protection plan).

Information sharing is also essential for the identification of patterns of behaviour when a child has gone missing, when multiple children appear associated to the same context or locations of risk, or in relation to children in the secure estate where there may be multiple local authorities involved in a child's care.

Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children, which must always be the paramount concern.



All TCHC staff, volunteers, and associates should aim to gain consent to share information but should be mindful of situations where to do so would place a child at increased risk of harm. Information may be shared without consent if a practitioner has reason to believe that there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner. When decisions are made to share information TCHC staff, volunteers, and associates should record who has been given the information and why.

Where TCHC staff, volunteers, and associates need to share special category personal data, they should be aware that the Data Protection Act 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows TCHC staff, volunteers, and associates to share information.

When receiving a request for information from the Police

- Act only on the advice from your local DSL and the statutory agency
- Never view or share indecent images of any learners
- All requests for information from the Police should be in writing and should be signed by a serving Police Officer
- First check verification of the Officer who has made the request
- Consult with the Safeguarding Team and let them know exactly what information has been requested and if any reasons given for the request
- Log the request for information including all details such as who has made the request and what has been requested and why on MyConcern
- Check the ID of the officer when they arrive before handing over any information
- Information should be provided in a sealed envelope
- Log when requested information has been provided/picked up and to whom on MyConcern

3 APPENDIX. LEARNERS MISSING FROM EDUCATION

All staff and associates should be aware that learners and children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in county lines (which is criminal activity in which drug dealers in major cities establish networks for the supply and sale of drugs to users in towns and rural areas, by using other people to carry, store and sell the drugs). It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future.

Unauthorised absence and children missing from education procedure:

Teaching staff/associates and centre Administrators are responsible for recording learner attendance.

Leaders and Managers are responsible for checking teaching/training registers regularly and notifying the safeguarding team where learners miss more than four lessons in a row.

Designated Safeguarding Leads (DSLs) are then responsible for providing advice and support to staff, volunteers, and associates including agreeing actions. The DSL is responsible for following up with the Leader or Manager to ensure the matter has been resolved and the file can be closed. If the matter is ongoing the DSL must put interventions in place to resolve the issue.

If the learner and the next of kin are not contactable and other options have been exhausted, then other agencies may need to be informed, including the local authority contact or responsible person and any vulnerable or looked after child support agency.

We have a duty of care to report all safeguarding concerns on MyConcern for audit trail purposes.

4 APPENDIX. COVID-19 ARRANGEMENTS

Communal areas in offices and centres must have appropriate levels of cleaning in place.

MyConcern categories include those related to COVID-19 test results.

DSLs will ensure that all safeguarding processes remain effective during any outbreak. DSLs are responsible for keeping staff, volunteers, and associates updated with any policy or process changes.

Local Safeguarding Partners have advised that safeguarding cases will be dealt with as normal, with multi-agency meetings being held virtually where possible.

Learners will be using the internet more than ever before. Staff, volunteers, and associates should be aware of the signs and signals of cyber-bullying and other risks online.

TCHC has implemented Smoothwall, a filter and monitoring solution.

Free additional support for staff, volunteers, and associates in responding to online safety issues can be accessed from the Professionals Online Safety Helpline at the [UK Safer Internet Centre](#).

4.1 Identifying vulnerability

For the purposes of this guidance, a wide definition of vulnerable and disadvantaged learners has been adopted. It includes, but is not limited to, learners who are in one or more of the following groups:

- learners with special educational needs (SEN)
- learners from minority ethnic groups who have English or Welsh as an additional language (EAL/WAL)
- care-experienced children, including looked after children
- learners educated other than at school (EOTAS)
- children of refugees and asylum seekers
- Gypsy, Roma and Traveller children
- learners eligible for free school meals (eFSM)
- young carers
- children at risk of harm, abuse or neglect
- learners with an EHCP
- learners with disabilities

Adults at risk of harm are defined as someone who is aged 18 or over and:

- Has need for care and support
- Is experiencing, or is at risk of, abuse or neglect
- As a result of those needs, is unable to protect themselves against abuse or neglect or the risk of it.

A risk assessment process is ongoing to risk-rate those learners where contact with the social worker/parents/carers is required, which will be coordinated through the centre and Safeguarding Team.

For these individuals, we continue to operate normal safeguarding policy and procedures but are providing increased communications and notifications to ensure they receive up-to-date advice, guidance, support and mentoring during these challenging times.

5 APPENDIX. IN THE EVENT OF A DEATH OF A LEARNER

The death of a learner can be traumatic for both TCHC staff and other learners, we ask that the person informed about any learner related death reports this to the Safeguarding Team the same day using the normal safeguarding reporting system.

You may notice that lessons become disrupted as learners may be observed becoming restless and unable to concentrate. There may also be an increase in behavioural difficulties.

If any of the children or young people witnessed the death, irrespective of whether the learner died on TCHC premises or not, they may need to be referred for specialist help. Any specialist help for the child or young person will need to be discussed with their family or carers before any referral is made.

We understand that this can be a difficult time for our staff, and we suggest that you contact the Employee Assistance Programme (EAP) for professional support if you want to. The service is free of charge to staff and can include counselling sessions over the telephone and face to face.

Telephone: 0800 047 4097

How Can I Help?

- Reassure learners that we are there to listen to them and support them whilst they grieve.
- Talk to our Safeguarding Team about holding a memorial service for the learner who has died.
- If there are learners who wish to attend the funeral of the learner who has died discuss this with your DSL and ensure that the family and the family of the person who has died are in agreement.



6 APPENDIX. CONSENT

6.1 What is consent?

Consent is when a person voluntarily gives verbal permission to another for something to happen or agrees to do something.

6.2 Can I withdraw my consent?

Yes, consent is reversible.

Consent is not given if:

- The person asked isn't saying anything
- The person asked is not sober
- The person asked didn't say no
- The person asked said yes earlier, is in a relationship and they didn't say no

[Consent short video](#)

7 APPENDIX. CONTEXTUAL SAFEGUARDING

(CHILD ON CHILD ABUSE & YOUTH INVOLVED SEXUAL IMAGERY)

7.1 Child on Child abuse

TCHC Group staff, volunteers, and associates are committed to the prevention, early identification, and appropriate management of Child-on-Child abuse (as defined below) and we acknowledge that no reporting does not mean it does not exist.

We:

- believe that to protect children and young people, all office, centres, and provision should:

(a) be aware of the nature and level of risk to which their learners are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and

(b) take a whole-centre community Contextual Safeguarding approach to preventing and responding to Child-on-Child abuse:

- We (a) do not feel it is acceptable to take a reactive approach to Child-on-Child abuse in response to alleged incidents of it; and (b) believe that to tackle Child-on-Child abuse

proactively, it is necessary to focus on all four of the following areas: (i) systems and structures; (ii) prevention; (iii) identification; and (iv) response/intervention.

- Recognise national and increasing concern about this issue and wish to implement this policy to mitigate harmful attitudes and Child-on-Child abuse in the centre setting.
- Recognises that abuse is abuse and should never be passed off as ‘banter’, ‘just having a laugh’, or ‘part of growing up’, and is compliant with the statutory guidance on Child-on-Child as set out in Keeping Children Safe in Education 2021/22.
- Does not use the term ‘victim’ and/or ‘perpetrator’. This is because TCHC takes a safeguarding approach to all individuals involved in concerns or allegations about Child-on-Child abuse, including those who are alleged to have been abused, and those who are alleged to have abused their peers, in addition to any sanctioning work that may also be required for the latter.

Research has shown that many children who present with harmful behaviour towards others, in the context of Child-on-Child abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of peers.

We have chosen not to restrict our approach to Child-on-Child abuse and instead to adopt a wider interpretation of our safeguarding responsibilities so that they apply to all learners, regardless of age.

TCHC’s response to incidents involving the exchange of youth involved sexual imagery differs depending on the age of the learners:

- Should, if relevant, according to the concern(s) or allegation(s) raised, be read in conjunction with the Department for Education (DfE’s) advice on Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (DfE’s Advice), and any other advice and guidance referred to within it, as appropriate.

7.2 What is sexual harassment?

Sexual harassment is behaviour of a sexual nature that is unwanted. Sexual harassment must be either (a) have violated a person’s dignity and/or (b) created a hostile environment for them.

Examples from **ACAS** include:

- flirting, gesturing or making sexual remarks about someone's body, clothing or appearance
- asking questions about someone's sex life
- telling sexually offensive jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment
- displaying or sharing pornographic or sexual images, or other sexual content
- touching someone against their will, for example hugging them
- sexual assault or rape

7.3 What is sexual violence?

Sexual violence is any sexual act or attempt to obtain a sexual act by using violence or coercion regardless of the relationship to the victim.

7.4 What is the difference between sexual harassment and violence?

Sexual violence is rape, assault by penetration or sexual assault. Sexual harassment is unwanted conduct of a sexual nature. Harmful sexual behaviour is problematic, abusive and violent behaviour that is developmentally inappropriate and may cause developmental damage.

7.5 Is sexual harassment or violence tolerated?

No, TCHC have zero tolerance of sexual harassment and sexual violence. If you see something, say something and report it to us safeguarding@tchc.net.

7.6 What punishment can perpetrators for sexual offences face under the law?

Sexual offences are a serious crime and are sentenced under sexual assault, with a maximum prison sentence of ten years if the victim is over the age of 13. If the victim is under the age of 13, then a maximum prison sentence of 14 years is possible.

7.7 What is Child on Child Abuse?

For these purposes, Child-on-Child abuse is any form of physical, sexual, emotional, and financial abuse, and forced control, between children, and within children's relationships (both intimate and nonintimate), friendships and wider peer associations.

Child-on-Child abuse can take various forms, including (but not limited to): serious bullying (including cyberbullying), relationship abuse, domestic violence and abuse, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour, and/or prejudice-based violence including, but not limited to, gender-based violence.

Examples of online Child-on-Child abuse would include sexting, online abuse, Child-on-Child grooming, the distribution of youth involved sexualised content, and harassment.

Different types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, sexual bullying in centres and other settings can result in the sexual exploitation of children by their peers. For 16- and 17-year-olds who are in abusive relationships, what may appear to be a case of domestic violence may also involve sexual exploitation or coercion.

7.8 What is Contextual Safeguarding?

This policy:

(a) identifies the essential features of a Contextual Safeguarding approach, which is about changing the way that professionals approach child protection when risks occur outside of the family, thereby requiring all those within a Local Safeguarding Partnership to consider how they work alongside, rather than just refer into, children's social care, to create safe spaces in which children may have encountered Child-on-Child abuse.

(b) adopts a whole-centre community Contextual Safeguarding approach, which means:

- being aware of and seeking to understand the impact that these wider social contexts may be having on the Centre's learners

- creating a safe culture in the Centre by, for example, implementing policies and procedures that address Child-on-Child abuse and harmful attitudes; promoting healthy relationships and attitudes to gender/ sexuality; training on potential bias and stereotyped assumptions
- being alert to and monitoring changes in learners' behaviour and/or attendance, and contributing to local child protection agendas by, for example, challenging poor threshold decisions and referring concerns about contexts to relevant local partnerships.

7.9 What is online abuse?

Online abuse is any type of abuse that happens on the internet. It could happen on any device that is connected to the internet. For example, computer, laptop, mobile phone, tablet and smart watch etc.

Online abuse can happen anywhere. For example, on social media such as Facebook or Twitter. It could be through online chats, live-streaming sites, emails, online gaming or text messages etc.

Types of online abuse can be cyberbullying, emotional abuse, grooming, sexting, sexual abuse or sexual exploitation etc.

Anyone who uses the internet is at risk from online abuse.

7.10 What are the signs of online abuse?

- People may spend a lot more or a lot less time than usual online.
- They could seem distant, upset or angry.
- They may be secretive about who they are talking to or what they are doing.
- They may have lots of new phone numbers, text messages on their device.

7.11 How widespread is Child-on-Child abuse?

Research suggests that Child-on-Child abuse is one of the most common forms of abuse affecting children in the UK. For example, more than four in ten teenage girls aged between 13 and 17 in England have experienced sexual coercion. Two thirds of contact sexual abuse experienced by children aged 17 or under was committed by someone who was also aged 17 or under.

Research also suggests that: Child-on-Child abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. Barriers to disclosure will also be different.

As a result, we will explore the gender dynamics of Child-on-Child abuse within their settings and recognise that these will play out differently in single sex, mixed or gender- imbalanced environments.

Children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without SEND, and additional barriers can sometimes exist when recognising abuse in children with SEND. These can include: – assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration, – the potential for children with SEND to be disproportionately impacted by

behaviours such as bullying and harassment, without outwardly showing any signs, – communication barriers and difficulties, and – overcoming these barriers.

Some children may be more likely to experience Child-on-Child abuse than others due to certain characteristics such as sexual orientation, ethnicity, race, or religious beliefs.

7.12 When does behaviour become problematic or abusive?

All behaviour takes place on a spectrum. Understanding where a child’s behaviour falls on a spectrum is essential to being able to respond appropriately to it. Simon Hackett has proposed the following continuum model to demonstrate the range of sexual behaviours presented by children, which may be helpful when seeking to understand a student’s sexual behaviour and deciding how to respond to it.

Sexual behaviours continuum model

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> • Developmentally expected • Socially acceptable • Consensual, mutual, reciprocal • Shared decision making 	<ul style="list-style-type: none"> • Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal 	<ul style="list-style-type: none"> • Problematic and concerning behaviour • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity 	<ul style="list-style-type: none"> • Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure compliance • Intrusive • Informed consent lacking or not able to be freely given • May include elements of expressive violence 	<ul style="list-style-type: none"> • Physically violent sexual abuse • Highly intrusive • Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour • Sadism

Hackett’s continuum relates exclusively to sexual behaviours and is not exhaustive.

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse staff, volunteers, and associates can draw on aspects of Hackett’s continuum to assess where the alleged behaviour falls on a spectrum and to decide how to respond.

This could include, for example, whether it:

- is socially acceptable,
- involves a single incident or has occurred over a period.
- is socially acceptable within the peer group,
- is problematic and concerning,
- involves any overt elements of victimisation or discrimination e.g., related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability,

- involves an element of coercion. pre-planning, or involves a misuse of power.
- involves a power imbalance between the child/ children allegedly responsible for the behaviour and the child/children allegedly the subject of that power, and

7.13 How can a child who is being abused by their peers be identified?

All staff, volunteers, and associates should be alert to the well-being of learners and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by Child-on-Child abuse. However, staff, volunteers, and associates should be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) because of their experiences will differ.

All study programme staff, volunteers, and associates should regularly review the TCHC Behaviour Incident Log which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage.

Signs that a child may be suffering from Child-on-Child abuse can also overlap with those indicating other types of abuse and can include:

- failing to attend centre, disengaging from classes, or struggling to carry out centre related tasks to the standard ordinarily expected,
- physical injuries,
- experiencing difficulties with mental health and/or emotional wellbeing,
- becoming withdrawn and/or shy; experiencing headaches, stomach aches, anxiety and/or panic attacks; suffering from nightmares or lack of sleep or sleeping too much,
- broader changes in behaviour including alcohol or substance misuse,
- changes in appearance and/or starting to act in a way that is not appropriate for the child's age, and
- abusive behaviour towards others.

Abuse affects children very differently. The above list is by no means exhaustive, and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on their circumstances.

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

Any child can be vulnerable to Child-on-Child abuse due to the strength of peer influence during adolescence, and staff, volunteers, and associates should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. For example, an image of a child could be shared, following which they could become more vulnerable to Child-on-Child abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family.

Peer group dynamics can also play an important role in determining a child's vulnerability to such abuse. For example, children who are more likely to follow others and/or who are socially isolated

from their peers may be more vulnerable to Child-on-Child abuse. Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse by their peers.

7.15 How TCHC tackles Child on Child abuse

Training includes case studies, educating people about the nature and prevalence of Child-on-Child abuse, positive, responsible, and safe use of social media, and the unequivocal facts about consent, via Personal, Social, Health and Economic (PSHE) education and the wider curriculum. For example, by addressing gender inequality in a class, or by reviewing written work in an English class which addresses bullying and its effect on mental health.

Learners are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse. They are regularly informed about TCHC's approach to such issues, including its zero-tolerance policy towards all forms of Child-on-Child abuse.

We actively engage with Local Safeguarding Partnership in relation to Child-on-Child abuse, and works closely with, for example, children's social care, the police and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures.

It is essential that all concerns and allegations of Child-on-Child abuse are handled sensitively, appropriately, and promptly. The way in which they are responded to can have a significant impact on our environment.

Any response should:

- include a thorough investigation of the concern(s) or allegation(s), and the wider context in which it/they may have occurred (as appropriate) – depending on the nature and seriousness of the alleged incident(s), it may be appropriate for the police and/or children's social care to carry out this investigation,
- treat all children involved as being at potential risk – while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves. The Centre should ensure that a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, and additional sanctioning work may be required for the latter,
- consider: – that the abuse may indicate wider safeguarding concerns for any of the children involved and consider and address the effect of wider sociocultural contexts – such as the child's/ children's peer group (both within and outside the Centre); family; the Centre environment; their experience(s) of crime and victimisation in the local community; and the child/children's online presence. Consider what changes may need to be made to these contexts to address the child/ children's needs and to mitigate risk, and – the potential complexity of Child-on-Child abuse and of children's experiences, and consider the interplay between power, choice, and consent.
- manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to consider the wishes of any child who has allegedly been abused,

and to give that child as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

7.16 What should you do if you suspect either that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s)?

If staff, volunteers, and associates think for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL immediately.

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately. Where referrals are not made by the DSL, the DSL should be informed and involved as soon as possible.

The Internet Watch Foundation (IWF), for example, has a trained team that can evaluate and remove illegal images from the internet when the images are reported to them quickly. They will also share the image with the National Crime Agency's Child Exploitation and Online Protection Command (CEOP) to facilitate an investigation. Any report to IWF will be made in consultation with the police.

DSLs should always use their professional judgement to determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases the DSL may wish to consult with local MASH (or equivalent), and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL should contact children's social care and/or the police immediately and, in any event, within 24 hours.

7.17 When responding to concern(s) or allegation(s) of Child-on-Child abuse:

- record the information that is necessary for the Centre and other relevant agencies (where they are involved) to respond to the concern(s) or allegation(s) and safeguard everyone involved,
- keep a record of the legal purpose for sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose, and
- be mindful of and act in accordance with its safeguarding and data protection duties, including those set out in Working Together to Safeguard Children (January 2021) and the HM Government advice on Information Sharing.
- consider whether disciplinary action may be appropriate for any child/children involved. However, if there are police proceedings underway, or there could be, it is critical that the Centre works in partnership with the police and/or children's social care. Where a matter

is not of interest to the police and/ or children's social care, the Centre may still need to consider what is the most appropriate action to take to ensure positive behaviour management. Disciplinary action may sometimes be appropriate, including to: (a) ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour; (b) demonstrate to the child/children and others that Child-on-Child abuse can never be tolerated; and (c) ensure the safety and wellbeing of other children.

However, these considerations must be balanced against any police investigations, the child's/children's own potential unmet needs, and any action or intervention planned regarding safeguarding concerns. Disciplinary interventions alone are rarely able to solve issues of Child-on-Child, and the Centre will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forwards.

7.18 Youth involved sexual imagery

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

Creating, keeping and/or sharing sexual photos and videos of under-18s is illegal, and is classified as the making, possession, or distribution of indecent images of a minor - under the Protection of Children Act 1978 (making and/or distribution) and the Criminal Justice Act 1988 (possession).

It also presents a range of risks which need careful management. TCHC encourages staff, volunteers, and associates to use language such as 'youth involved sexual imagery' instead of 'sexting', or 'youth produced sexual imagery. Although we recognise that the term "youth produced" is used in UKCCIS' advice Sexting in centres and colleges: Responding to incidents and safeguarding young people, it has chosen not to use this term which could be seen to place responsibility with the child who is taking and/or is the subject of the image, without recognising the potential for coercion or threat.

7.19 What is youth involved sexual imagery?

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

- 'youth involved' includes children sharing images that they, or another child, have created of themselves, and
- 'imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy), and
- a judgement of whether something is 'decent' is both a value judgement and dependent on context. The term 'sexual' is clearer than 'indecent', although the DSL will nevertheless always need to use professional judgement when determining whether a photo is 'sexual'. No TCHC staff, volunteers, and associates, including DSLs are permitted to view any suspected sexual imagery to determine any validity, this is a criminal offence.

7.20 What types of incidents are covered?

- A child creates and shares sexual imagery of themselves with a peer (also under the age of 18)
- A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult.
- A child is in possession of sexual imagery created by another child.
- The sharing of sexual imagery of children by adults constitutes child sexual abuse and centres should always inform the police.
- Children sharing adult pornography or exchanging sexual texts which do not contain imagery.
- Sexual imagery downloaded from the internet by a child.
- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult.

Disclosure about youth involved sexual imagery can happen in a variety of ways. The child affected may inform TCHC staff, volunteers, and associates. They may report through an existing reporting structure, or a friend or parent may inform someone at TCHC or a colleague or inform the police directly. There is also a possibility that staff, volunteers, and associates may be made aware of an image in circulation by other learners not involved in either the production or initial transfer, but who have become exposed to the imagery because of wider distribution.

All staff, volunteers, and associates (including non-teaching roles) should be aware of how to recognise and refer any disclosure of incidents involving youth involved sexual imagery. staff, volunteers, and associates should also be aware of the legalities around youth involved sexual imagery so they can best inform learners in their care.

Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in is a last resort and they may have already tried to resolve the issue themselves.

7.21 When an incident involving youth involved sexual imagery comes is recognised by someone at TCHC:

- **No staff, volunteers, and associates or DSL must view any suspected Youth involved sexual imagery to determine any validity of claims, this is a criminal offence as stated above.**
- the incident should be referred to the DSL as soon as possible,
- the DSL will follow the procedures and guidance set out in Sexting in centres and colleges: responding to incidents and safeguarding young people,
- there should be subsequent interviews with the children involved,
- parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at risk of harm,

- where a child is suffering, or is likely to suffer from harm, it is important that a referral to children’s social care (and, if appropriate, the police) is made immediately,
- any report to the police should be considered against the severity of the concerns and/or allegations, the impact on any child who has allegedly experienced the abuse, and broader context of the production and distribution of the image (for example: was production consensual or coerced? Was sharing consensual? Was production volunteered or requested? What are the ages of the children involved?), and
- depending on the facts of the particular concern or allegation, a report to the police does not necessarily mean that the child will be criminalised. Since January 2016, the police can record an “Outcome 21” against a reported crime, meaning it is not in the public interest to pursue a charge. Most of the youth involved sexual imagery would fall into this category. However, in the event of coercion, exploitation, further harm, or aggravated behaviours, it is valid for police involvement to result in criminal charge.

8 APPENDIX. UPSKIRTING

8.1 What is Upskirting? When did it become law?

Upskirting is an intrusive and invasive practice, which involves a person taking a picture under another person’s clothing without their knowledge, with the intention of viewing their genitals or buttocks (with or without underwear).

Upskirting is where a person takes a picture under a person’s clothing without their permission. It is now a specific criminal offence in England and Wales.

The Voyeurism (Offences) Act was introduced on 21 June 2018. It came into force on 12 April 2019. It is known as the Upskirting Bill.

8.2 What punishment can upskirting perpetrators face under the law?

Perpetrators will face two years in prison.

Upskirting, where committed to obtain sexual gratification, can result in the most serious offenders being placed on the sex offenders’ register.

9 APPENDIX. RECRUITMENT OF PRISON LEAVERS

- As an organisation using the Disclosure and Barring Services (DBS) and/or Disclosure Scotland to assist in assessing applicants’ suitability for positions of trust, TCHC complies fully with the Disclosure and Barring Service/Disclosure Scotland Code of Practice (a copy of which is available on request) and undertakes to treat all

applicants for all posts fairly. TCHC will not discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.

- We actively promote equality of opportunity for all, and we select all candidates for interview on the basis of their talent, skills, qualifications and experience. We welcome applications from a wide range of candidates, including those with criminal records.
- A disclosure is only requested where it is legally required or after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. Where a disclosure will be required from a successful candidate, all applicants will be made aware of this at all stages of the recruitment process.
- Where disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process.
- Unless the nature of the position allows the company to ask questions about a candidate's entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- We will ensure that all those in the company who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We will also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of prison leavers.
- At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that may be relevant to the position. Failure to reveal information that is relevant to the position sought could lead to withdrawal of an offer or termination of employment.
- We undertake to discuss any matter revealed in a disclosure with the person seeking the position before withdrawing a conditional offer or terminating employment.
- Having a criminal record will not necessarily bar an applicant from working for us. This will depend on the nature of the position and the circumstances and background of the offences.

As the law is constantly changing, this policy is subject to review and TCHC reserves the right to amend this policy without prior notice.

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