



# Trust Safeguarding Policy

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## **To take effect from 1 September 2019**

The Odyssey Collaborative Trust believes that a child or young person should never experience abuse of any kind. We have a responsibility to promote the welfare of all children and young people and to keep them safe. We are committed to practice in a way that protects them.

### **1. Purpose of this policy**

The purpose of this document is to provide an umbrella summary of the aspects of safeguarding and child protection that are common across the Trust.

Each Academy within the Trust has a Site Specific Arrangements document which is published on their individual website. A list of Academies and their websites are included in Appendix 1 of this document.

This policy should be read alongside the following documents:

- Individual Academy: Site Specific Arrangements for Safeguarding and Child Protection
- Odyssey Collaborative Trust: Managing Allegations Against Adults Working within the Trust Policy
- Odyssey Collaborative Trust: Safeguarding Practice Guidance (Internal)
- Odyssey Collaborative Trust: Safeguarding Training Guidance (Internal)
- DfE Keeping Children Safe in Education – September 2019
- Working Together to Safeguard Children – July 2018
- The Children Act 1989 and 2004
- The Children and Social Work Act 2017
- The Education Act 2002

### **2. The Law and National Framework**

The requirements of the Trust and each Academy to safeguard and promote the welfare of all children and young people are embedded in legislation, government and Local Authority guidance. The Policy, therefore, of the Trust has to be, and is, in line with this wider framework.

#### **2.1 Legal**

Appendix 2 outlines the key legal framework and the important difference between prevention and protection which now underpin the work of safeguarding.

#### **2.2 Government**

The government guidance 'Working Together to Safeguard Children – July 2018' and 'Keeping Children Safe in Education 2019' are the essential national safeguarding documents and give practical guidance on implementing legal requirements. Each Academy should have at least one copy of each which should be accessible to staff.

All adults working within the Trust must be issued with their own copy of Part 1 and Annex A of 'Keeping Children Safe in Education 2018'. Time must be given for staff to read the document and they must confirm by return that they have both read and understood the document.

## **2.3 Local**

Local Safeguarding Partnerships (LSPs) are made up of senior managers from each main organisation to oversee at a local level the working together arrangements for safeguarding. Each partnership arrangement will have a unique offer that relates to the community they serve.

This body produces local procedures which have to be in line with 'Working Together to Safeguard Children – July 2018' and which influence each organisation's own procedures.

Each Academy should have a copy of, and show due regard to, their local partnership arrangements. It is also an expectation of the Trust that DSLs will attend update events and training as required by their local partnership arrangements.

## **2.4 Organisational**

Each Academy has in place its own published safeguarding arrangements which mirror and compliment all of the above.

This Site Specific Arrangements document must be published on individual Academy websites.

## **2.5 Definitions**

It is important to see safeguarding as the "umbrella" term for everything that is done to support children and young people, to keep them safe and promote their welfare. 'Working Together to Safeguard Children – July 2018' defines safeguarding as:

- protecting children from maltreatment;
- preventing impairment of a child's health and development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best life chances.

Child protection however is defined as:

- part of safeguarding and promoting welfare; and
- the activity to protect specific children who are suffering, or who are likely to suffer, significant harm.

It can be seen therefore that protection is only one part of safeguarding and indeed the spirit of the legislation is about promotion of children's needs and the prevention of

harm. This supports the need for all staff to be able to respond early when they have a concern rather than wait until something is more defined and certain.

The most critical message from the legislation is that “the child’s welfare is paramount”.

### **3. Roles and Responsibilities**

Everyone has a role to play in ensuring the well-being and safety of children, young people, their families and each other.

Below is a brief description of those core responsibilities.

#### **3.1 All Staff**

All staff will:

- make sure they have undertaken the appropriate training for their role;
- take responsibility to report any concerns, no matter what their role;
- ensure they have a copy of part 1 and Annex A of Keeping Children Safe in Education 2018 and that they have read and understand it;
- be aware of the need to minimise their own vulnerability in not being alone with children or in situations that could render them vulnerable to poor practice and/or allegations against them; and
- always be aware of the needs of young people and be vigilant for any possible signs of abuse.

#### **3.2 The Designated Safeguarding Lead**

The Designated Safeguarding Lead (DSL) is the member of the Academy’s Senior Leadership Team who is responsible for the strategic leadership of safeguarding.

The DSL is the person to whom staff should pass their concerns and who will ensure a practical and efficient way of dealing with those concerns.

The DSL will:

- ensure an open and efficient route for staff to bring concerns to them of any sort and to have their concerns taken seriously;
- ensure they are appropriately trained to carry out the role;
- support staff in ensuring they receive appropriate training;
- promote the procedural pathway within the Academy so staff are aware of the way to report concerns;
- ensure the Academy procedures are followed and adhered to with regard to referring a child if there are concerns about possible abuse;
- offer clear advice and support to staff bringing concerns or needing help
- consider whether concerns referred to him/her need to be referred to Children’s Services Social Care;
- offer appropriate feedback as necessary as to the progress of the concern;
- maintain written records of concerns about a child even if there is no need to make an immediate referral and keep a record system to ensure consistency;

- discuss with the Headteacher any complex concerns;
- ensure that all such records are kept confidentially and securely and are separate from pupil records;
- ensure that an indication of further record-keeping is marked on the pupil record;
- ensure those particular complex cases are referred without delay, and especially where it involves a child or young person subject to a child protection plan;
- follows the LSP's escalation policy where cases are not progressing in an acceptable manner; and
- gather, collate and analyse as appropriate all relevant information for purposes of quality assurance.

### **3.3 Deputy Designated Safeguarding Lead(s)**

Each Academy within the Trust will appoint at least one Deputy Designated who will formally provide cover and additional capacity for the DSL. Each Deputy DSL will be trained to the same level as the DSL.

In the event of the long-term absence of the DSL, the Headteacher will identify a Deputy DSL to undertake the duties of the DSL listed above.

### **3.4 The Academy Headteacher**

The Headteacher in each Academy is responsible for ensuring the Designated Safeguarding Lead is effective in their role of providing and accessing high quality services to safeguard and promote the welfare of children and young people accessing provision from their Academy including:

- offer day to day support and guidance to the DSL as necessary;
- oversee the promotion of safeguarding throughout the Academy, ensuring all staff are appropriately trained and aware of their responsibilities;
- ensure cover is provided where necessary in the absence of the DSL;
- offer supervision to the DSL in relation to their role and decisions made;
- ensure that a senior member of staff is designated as the person in charge of Looked After Children and receives appropriate training;
- encourage pupils and parents to inform the Academy of any concerns;
- work with the representative of the Academy Advisory Council to put mechanisms in place to ensure that pupils requiring safeguarding measures are monitored in relation to their situation and progress with their learning;
- ensure all recruitment procedures follow safeguarding best practice based on advice from the Director of HR
- contribute as appropriate to quality assurance processes; and
- ensure sufficient allocation of time given to DSLs to undertake the role.

### **3.5 The Academy Senior Leadership Team**

The Academy Senior Leadership Team will support the Headteacher to discharge the duties to safeguard children and young people.

The Academy Senior Leadership Team will:

- promote the importance of safeguarding throughout the Academy;
- oversee the effectiveness of safeguarding systems, especially procedures, and review and report any changes that are required;
- support the work of the DSL to ensure an effective process for dealing with concerns; and
- ensure that the Academy fulfils its statutory duty to co-operate with other agencies and that the chain of accountability is clear from front line to senior level.

### **3.6 The Trust**

The Trust Safeguarding Team will provide strategic leadership within the Odyssey Collaborative Trust for all aspects of safeguarding children and young people.

The Trust Safeguarding Team will:

- ensure that all policies and procedures are reviewed and updated in line with national and local requirements and appropriate changes disseminated to all Academies;
- ensure that there are systems in place to support the effective management of safeguarding, especially the role of DSLs, training for all staff and supervision as appropriate;
- ensure that there is available to Academy Headteachers someone who can offer appropriate external advice and support with safeguarding concerns especially when they are complex and/or relate to allegations against staff;
- ensure Quality Assurance processes are in place and oversee the information they produce to measure the progress and effectiveness of existing safeguarding frameworks; and
- produce information to the Trust Board in relation to Safeguarding in order to ensure that the Board can demonstrate that it is discharging its safeguarding obligations appropriately.

### **3.7 The Chief Executive**

The Chief Executive, as Accounting Officer, through line management, will provide appropriate challenge and support to the Trust Safeguarding Team to ensure the Trust and the Academies it sponsors are taking all opportunities to safeguard and protect the children and young people that access their services.

#### **4. Governance of Safeguarding**

The Odyssey Collaborative Trust has appointed a Trustee to take leadership responsibility for the Odyssey Collaborative Trust's safeguarding arrangements.

The day-to-day leadership of safeguarding is delegated to the Headteachers and DSLs to ensure that all statutory duties are fulfilled.

The Headteachers provide regular reports to the Trustee with responsibility for safeguarding along with other members of the Education Sub-Committee of the Trust Board.

The role of the Safeguarding Trustee, with the support of the Education Sub-Committee of the Trust Board, is to provide appropriate challenge and support to the Chief Executive and Headteachers to ensure that they are satisfied that the Trust is fulfilling its safeguarding duties identified in the statutory guidance Keeping Children Safe in Education 2019.

#### **5. Quality Assurance**

Robust safeguarding practices and procedures are key to supporting and safeguarding the children and young people that access services from the Odyssey Collaborative Trust. Effective quality assurance measures are essential in ensuring the practices and procedures are fit for purpose.

Three assurance categories are in place to monitor safeguarding within the Trust (Red, Amber and Green) and Academies are placed in the category based on the current rating of their practices.

It is important to note that the current grading of each Academy is reviewed constantly and may be subject to change without prior notice.

#### **6. Escalation**

Staff need to be aware of those times when concerns may look as though they are not progressing to an outcome or some form of action. This may be indicated by:

- difficulty in getting hold of a DSL;
- staff not being satisfied about the decision of the DSL or Headteacher;
- staff aware that a colleague has not passed on a concern;
- external agencies not accepting a referral from an Academy when it is felt one is needed;
- staff not aware of what has happened to their concern because of a lack of feedback.

It is important that staff do not close down a concern because they feel "stuck" or "they can't do anymore". It is important to escalate concerns to DSLs, Headteachers, other senior staff or if necessary, to the Trust Safeguarding Team.



If there are concerns about the work of an external agency please refer to the escalation policy published by the Local Safeguarding Partnership.

The important principle is not to allow a concern to be “closed down” without it having received the necessary attention, assessment and resolution.

If the options above have been explored fully and the concern still isn't being handled effectively and therefore placing the child or young person at risk, it is important that you continue to escalate your concerns by contacting the Safeguarding Trustee via The Hub, Asterdale Primary School or by contacting the NSPCC Whistleblowing Advice Line on 0800 028 0285.

## **7. Managing Allegations against Adults Working within the Trust**

The Trust takes very seriously allegations against members of staff and acknowledges that if concerns are not addressed as early as possible they can create unsafe working environments and leave staff and children increasingly vulnerable.

The Trust has a 'Managing Allegations against Adults Working within the Trust' Policy which should be followed in all cases where concerns are identified in relation to an adult working within the Trust's conduct which affects/could affect pupil(s) welfare or may result in a potential safeguarding issue.

Concerns about colleagues in the context of pupil welfare and safeguarding may arise in a number of ways:

- poor attitude or practice that potentially impacts on the general well-being of children that need addressing;
- aspects of poor practice witnessed by others;
- staff speaking against the ethos of the Academy;
- non-compliance with Trust's policies and procedures relating to safeguarding.

More specifically, allegations may be made against an adult working within the Trust by a child or colleague in relation to abuse. All of the above will be seen as reportable matters and discussions must take place without delay with the Headteacher.

However, certain allegations in relation to staff have to be reported by the Headteacher to the Designated Officer who is the statutory lead for dealing with and advising about such issues, specifically where a member of staff has:

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

Internal decisions in such cases should not be finalised without the advice of the Designated Officer. The reasons why staff may not wish to report their colleagues have to be understood.

It would not be unusual for people to know and believe that practice is not acceptable but feel unable to respond because of the fear:

- they might have the concerns wrong;
- for their own job and prospects of they report another colleague;
- of isolation by other staff;
- about what might happen to the member of staff in the long term.

It is particularly difficult if staff members are also close friends and/or partners in a relationship.

It must be recognised that the child's welfare remains paramount at all times and it can be very easy to lose sight of the impact on others of being on the receiving end of unacceptable and sometimes illegal behaviour.

Issues about attitude and poor practice may be dealt with internally and as part of the member of staff's development and competency. However, if such concerns are persistent and any plan with that member of staff has not affected change, advice should be sought and appropriate people included in the decision-making process.

## Appendix 1 – List of Academies

Academy	Website
Asterdale Primary School	<a href="http://www.asterdaleprimaryschool.co.uk">www.asterdaleprimaryschool.co.uk</a>
Beaufort Primary School	<a href="http://www.beaufort.derby.sch.uk">www.beaufort.derby.sch.uk</a>
Borrow Wood Primary School	<a href="http://www.borrowwood.derby.sch.uk">www.borrowwood.derby.sch.uk</a>
Cherry Tree Primary School	<a href="http://www.cherrytreeprimary.co.uk">www.cherrytreeprimary.co.uk</a>
Portway Junior School	<a href="http://www.portwayj.derby.sch.uk">www.portwayj.derby.sch.uk</a>
Springfield Primary School	<a href="http://www.springfield.derby.sch.uk">www.springfield.derby.sch.uk</a>

## **Appendix 2 – Legal Powers and Duties**

The Children Act 1989 and 2004 outline the powers and duties to safeguard and promote the welfare of children. The key sections are described below.

### **Children Act 2004**

Section 10 requires each Local Authority to make arrangements to promote co-operation between the authority, each of the authority's relevant partners and such other persons or bodies working with children in the Local Authority's area as the authority considers appropriate. The arrangements are to be made with a view to improving the wellbeing of children in the authority's area, which includes protection from harm or neglect alongside other outcomes.

Section 11 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged with regard to the need to safeguard and promote the welfare of children.

This is a particularly important section for the Trust and all the Academies in understanding its need to co-operate with Children's Services Social Care in fulfilling this duty to safeguard and protect.

### **The Children and Social Work Act 2017**

The Children Act 2004, as amended by the Children and Social Work Act 2017, strengthens this already important relationship by placing new duties on key agencies in a local area. Specifically the police, clinical commissioning groups and the local authority are under a duty to make arrangements to work together, and with other partners locally, to safeguard and promote the welfare of all children in their area.

### **Education Act 2002**

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

### **Children Act 1989**

The Children Act 1989 places a duty on Local Authorities to promote and safeguard the welfare of children in need in their area.

Section 17(1) of the Children Act 1989 states that it shall be the general duty of every Local Authority:

- a) to safeguard and promote the welfare of children within their area who are in need; and
- b) so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.

Section 17(10) states that a child shall be taken to be in need if:

- a) the child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a Local Authority under Part III of the Children Act 1989;
- b) the child's health or development is likely to be significantly impaired, or further impaired, without the provision of such services; or
- c) the child is disabled.

Under section 17, Local Authorities have responsibility for determining what services should be provided to a child in need. This does not necessarily require Local Authorities themselves to be the provider of such services.

Section 47(1) of the Children Act 1989 states that:

Where a Local Authority:

- a) is informed that a child who lives, or is found, in their area (i) is the subject of an emergency protection order, or (ii) is in police protection; and
- b) have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm: the Authority shall make, or cause to be made, such enquires as they consider necessary to enable them to decide whether they should take any action to safeguard and promote the child's welfare.

Section 53 of the Children Act 2004 amends both section 17 and section 47 of the Children Act 1989, to require in each case that before determining what services to provide or what action to take, the Local Authority shall, so far as is reasonably practicable and consistent with the child's welfare:

- a) ascertain the child's wishes and feelings regarding the provision of those services  
or the action to be taken; and
- b) give due consideration (with regard to the child's age and understanding) to such wishes and feelings of the child as they have been able to ascertain.

## **Police Protection Powers**

Under section 46 of the Children Act 1989, where a police officer has reasonable cause to believe that a child could otherwise be likely to suffer significant harm, the officer may:

- remove the child to suitable accommodation; or
- take reasonable steps to ensure that the child's removal from any hospital, or other place in which the child is then being accommodated is prevented. No child may be kept in police protection for more than 72 hours.