

The American School in London

CHILD PROTECTION POLICY

ASL designated contact people, 2018-19

Designated safeguarding lead: **Robyn Chapel**

Deputy designated safeguarding leads: John Farmer, Patrick Lee,
Cosmo Murphy

Trustee representative: Stacey Towfighi

Designated personnel:

Amy Curtis, Victoria Haynes, Jess Liniere, Kevin McKee, Shahira Moola,
Kelley Reid, Stephanie Oliver

School administrators:

Robin Appleby, Nadjib Aktouf, Karen Bonthron, Robyn Chapel, Beth
Crutcher, Devan Ganeshananthan, Anne Page, Jim Heynderickx, Peter
Lutkoski, Sacha McVean, Katie Shefren, Jodi Warren

Scope

There are two aspects to safeguarding and promoting the welfare of children.
They are:

- arrangements to take all reasonable measures to ensure that risk of harm to children's welfare is minimized; and
- arrangements to take all appropriate actions to address concerns about the welfare of children, working to agreed local policies and procedures in full partnership with other local agencies.

This document describes the arrangements ASL has in place to provide for both aspects of safeguarding. The measures described in this policy should be applied in all settings, including professional and personal interactions with students and primary carers and are relevant to all adults who are in contact with children directly or indirectly and who undertake paid or regular volunteer work for ASL, or deliver services as part of a contractual agreement

with an external organization. For the purposes of this document, this group of individuals is referred to by the term 'employees.' While the UK defines children as everyone under the age of 18, for the purposes of this policy, and in practice, safeguarding includes all students at the School irrespective of whether they have turned 18 years of age.

The procedures in this policy have been approved by the Head of School and the Board of Trustees.

Policy

At the American School in London, we believe that the purpose of education is to challenge all students to develop to their fullest intellectual, social, emotional and physical potential. Understanding that children learn and grow best within a caring and supportive framework, we undertake to create a school that models responsible personal and social behavior and keeps students free from the fear of any kind of abuse or neglect, and enables them to experience the fulfillment that comes from actively participating in a learning community.

All ASL employees are required, without exception, to report cases of suspected child abuse or neglect to one of the designated personnel within the School. The designated person will liaise with the school's designated safeguarding lead and may consult directly with and make referrals to the appropriate Children's Services in the relevant borough. All designated persons have additional information to assist in the assessment of suspected abuse. The requirements of ASL employees are derived from UK laws and required guidance.

The School has a contextual approach to safeguarding, which simply means that when employees assess a concern about a child, wider environmental factors outside of school that are a threat to the child's safety or welfare are considered.

All ASL employees are expected to be familiar with statutory guidance 'Keeping children safe in education: for school and college staff (part 1) and Annex A,' September 2018. Safeguarding is the responsibility of everyone in the School. At all times, everyone should consider what is in the **best interests** of the child.

INDICATORS of ABUSE and NEGLECT

What is 'abuse' and 'neglect'?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a familial or in an institutional or

community setting, by those known to them or, more rarely, by a stranger, for example, via the internet. They may be abused by an adult or adults, or by another child or children.

Physical abuse

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

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express his/her views, deliberately silencing the child or ridiculing what s/he says or how s/he communicates. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as over-protection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may also occur on its own.

Sexual abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's

health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a primary carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment.

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

SPECIFIC SAFEGUARDING ISSUES

Children missing from education

ASL's commitment to ensuring all students attend school regularly is demonstrated through divisional attendance policies and daily attendance procedures. Each division works with individual families if a child misses too much school and understands that missing school may be an indicator of maltreatment. The school database includes the option for more than one emergency contact number for each child. If a child stops attending school, the division will inform the designated safeguarding lead and the borough in which the child resides. The School works in partnership with local authorities to determine the whereabouts of a child missing from education. The School reports weekly to Local Authorities (LA) any children who have withdrawn that week and the name, address and contact number of the new school and the family's new contact details.

Child sexual exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce or manipulate a child into sexual activity in exchange for something. The victim may have been sexually exploited even if the sexual activity appears consensual and it may not always involve physical contact and can occur via technology. The School understands that it has an obligation to report any case or suspected case of child sexual exploitation to Westminster City Council Children's Services or that of the borough in which the child resides. In some cases, there may be a need to report directly to the police. The normal child protection reporting procedures are followed. Signs of possible child sexual exploitation include, but are not limited to, suspected intimate relations with an adult, inappropriate online presence, and changes in appearance and behavior. The School educates children in the dangers of online contact with strangers through its digital literacy curriculum.

Domestic violence

Children who experience exposure to domestic abuse suffer serious, long

lasting emotional and psychological impact. The School utilizes resources at the NSPCC and Safelives to support children and families in this situation. The School may decide to refer a student to Early Help or Children's Services as well.

'Honor-based' violence (HBV)

'Honor-based' violence encompasses incidents or crimes that have been committed to protect or defend the honor of the family and/or community, including female genital mutilation (FGM), forced marriage and practices such as breast ironing. All forms of HBV are abuse and the School treats them as such.

Forced marriage

The School understands that it has an obligation to report any case or suspected case of forced marriage to Westminster or to the borough in which the child resides. Forced marriage is a crime.

Mandatory reporting of female genital mutilation (FGM)

While all employees should speak to the designated safeguarding lead with regard to any concerns about FGM, there is a specific legal duty on teachers. A teacher must report FGM to the police and the Local Authority Children's Services in which the child resides. The report may be oral or written. When reported, the individual reporting should be given a reference number, which s/he must record. Additionally, the family of the girl should be contacted to explain the report, unless it is believed that doing so may result in risk of serious harm or the family fleeing the country.

If the employee did not learn about the case of FGM directly, but rather received the information from a third party, s/he will follow child protection procedures and report the suspected case to the designated safeguarding lead. In either case, the designated safeguarding lead must be made aware.

Online safety

The School understands its vital role in protecting students from and educating students about the areas of risk: content, contact and conduct. At school, there are filters and monitoring systems in place to reduce the risk of illegal, inappropriate or harmful material. Each division has specific guidelines for technology use for students; online safety is part of the technology, information literacy and media standards. The School also conducts parent and student education workshops throughout the year.

Peer-on-peer abuse

The School recognizes that children are capable of abusing their peers. The School's Code of Conduct, school-wide policies on bullying and technology

use, supervision of students, and pastoral education K-12 seek to minimize the risk of peer-on-peer abuse. All allegations of peer-on-peer abuse are handled in line with the school's safeguarding procedures and all children affected need to be supported. All peer-on-peer abuse is taken seriously and will not be tolerated as 'just having a laugh' or 'part of growing up.' Peer-on-peer abuse may manifest itself in physical abuse, bullying, prejudice-based bullying, gender-based violence, sexual harassment and sexual violence, and initiation/hazing type violence and rituals.

Radicalization, extremism and the Prevent duty

The designated safeguarding lead has completed Prevent awareness training and is trained to offer advice and support to employees.

The School takes a proactive stance to fostering the social and emotional health of all children. Our K-12 pastoral care system (Responsive Classroom K-4 and advisories in the Middle and High schools) ensures that all children are connected to adults and peers and feel included and known. Additionally, all employees foster the attributes of the ASL Portrait of the Learner.

The School is equipped to identify children who may be vulnerable to radicalization or extremism. We monitor students who might be at risk. If a student is identified, s/he is referred to a member of the safeguarding team. If the concern escalated after appropriate interventions at the school and family level, the designated safeguarding lead would be notified and s/he may decide to refer the case to Channel, the multi-agency panel in the Tri-borough dedicated to preventing radicalization and extremism.

Sexual violence and sexual harassment

Sexual violence and sexual harassment can occur between two children of any age and gender. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

The School does not tolerate sexual violence and sexual harassment and challenges behaviors such as grabbing bottoms, breasts and genitalia, and flicking bras and lifting up skirts. Dismissing or tolerating such behaviors risks normalizing them. The School also understands that sexual violence and sexual harassment can be driven by wider societal factors beyond the School such as everyday sexist language and stereotypes. Thus, the School takes a whole-school approach and teaches about sexual harassment and sexual violence through preventive education in health classes and other educational and extracurricular venues. Sexual violence and sexual harassment are explicitly prohibited in the Code of Conduct.

The School is aware of the research that shows children who have specific learning differences and children who are lesbian, gay, bisexual or trans

(LGBT), or perceived to be, are particularly vulnerable.

Concerns of sexual violence and sexual harassment are addressed in the context of the school's safeguarding policy and normal reporting procedures are followed. Reports of sexual violence and sexual harassment are complex and decisions are made on a case-by-case basis during the entire process with support from other agencies such as Children's Services and the police as required.

Sexual violence

The School understands that children can, and sometimes do, abuse their peers sexually. Sexual violence can include rape, assault by penetration or sexual assault.

Consent

Consent is about having the freedom and capacity to choose. A child under the age of 13 can never consent to any sexual activity. The age of consent is 16. Sexual intercourse without consent is rape. The School is revising the human sexuality and relationships aspect of its pastoral program to more specifically include the teaching of consent. The School understands that the concept of consent needs to be taught from an early age in developmentally appropriate ways.

Sexual harassment

Sexual harassment is understood to be unwanted conduct of a sexual nature that can occur online and offline. Sexual harassment can include:

- sexual 'jokes,' telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualized names
- physical behavior such as deliberately brushing against someone
- online sexual harassment, which may include
 - non-consensual sharing of sexual images and videos
 - sexualized online bullying
 - unwanted sexual comments on social media

Harmful sexual behavior

Children's sexual behavior exists on a continuum. Problematic, abusive and violent sexual behavior is developmentally inappropriate and should be considered in a child protection context. Members of the safeguarding team have a good understanding of harmful sexual behavior and the resources available to support children. Children displaying harmful sexual behavior have often experienced their own abuse and trauma and require appropriate support.

WHAT TO DO IF YOU HAVE A CONCERN ABOUT A CHILD

Early Help

Early Help is a community of services that support families to build resilience and improve lives. The School may refer a student and his/her family to Westminster's Early Help unit or an Early Help unit in the borough in which the child resides. Any child may benefit from Early Help, however employees should be particularly alert to the potential need for Early Help for a child who:

- is disabled;
- has specific learning differences that might make the child more vulnerable;
- is showing signs of being drawn into antisocial or criminal behavior;
- is frequently missing from care or from home;
- is misusing drugs or alcohol;
- is at risk of trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalized or exploited;
- is a privately fostered child.

STATUTORY ASSESSMENTS

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to Children's Services is made immediately.

Children in need

A child in need is defined under the Children Act 1989, section 17, 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 impaired without services, or is a child who is disabled. Local authorities are required to provide services for children in need.

Children suffering or likely to suffer significant harm

Under section 47 of the Children Act 1989, local authorities have a duty to investigate if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Local authorities investigate to determine if they should take any action where there are concerns of maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honor-based violence and threats such as radicalization and sexual exploitation.

CONCERNS ABOUT A CHILD AND WHEN TO REPORT

An indicator of suspected abuse or neglect is, for example, disclosure by the child to a friend, classmate, teacher or other trusted adult. Other factors such as unexplained injuries and implausible explanations, changes in behavior or emotional state may be causes for concern. Additionally, employees do not need absolute proof to make a report to a designated person. If an employee has 'reasonable cause' or 'reasonable suspicion' based on his/her knowledge of the student or personal experience with children, the employee should act in good faith and speak to a designated person.

When abuse or maltreatment is suspected, it is important that employees listen carefully to students, giving them the time they need to talk about what happened to them and how they are feeling about it. Questions can include:

What, if anything, happened?
Who was involved?
When did it happen?
Where did it happen?

Questions should be limited to clarifying basic information only, in order to help determine whether a referral should be made. It is important for employees not to ask children leading questions. The child may respond to these questions with additional detailed information. It is reasonable to allow the child to do so and come to a natural pause. Provided the employee hasn't sought the additional information, this is unlikely to undermine any future investigation; however, it is not the responsibility of employees in the School to investigate or prove suspected abuse.

Employees should involve only those needing to be involved, such as the designated safeguarding lead, member of the safeguarding team or Children's Services. Employees should not promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child.

REPORTING PROCEDURE AT ASL

1. Employees who have reasonable cause to suspect abuse or maltreatment *must* notify a designated person, as soon as possible and within two hours. The designated person will make a written log of concerns.

2. The designated person will confer with the designated safeguarding lead and inform the divisional principal and the Head of School. The school nurse may be consulted. **Where a child is suffering, or is likely to suffer from harm, it is important that a referral to Children's Services is made**

immediately. The designated person will inform the reporting employee as to the plan of action, while maintaining the confidentiality of the family. The reporting employee is expected to honor the sensitivity and the confidentiality of the information. Information about actual or suspected maltreatment and any associated plans will be shared within the ASL on a 'need to know' basis.

3. The designated safeguarding lead, in consultation, may decide a referral is not required, and the School will take relevant action on site. This may include soliciting support and an assessment from Early Help and/or providing internal support at the School. The child's progress is monitored at the School and further action may be determined if the child's situation does not appear to be improving or is getting worse. The case will be documented and stored confidentially and safely.

4. The designated person may consult with a Westminster Child Protection Advisor, as an anonymous, hypothetical case, as appropriate.

5. If Westminster's Children's Services advises ASL to report the case, the designated person will report the case to the relevant borough's Children's Services Assessment Team. This is done in the presence of a school administrator or the designated safeguarding lead.

6. If a referral is made to Children's Services, a social worker will be assigned. The designated person will confirm with the social worker what the primary carer is to be told, when, and by whom. If the child is not at risk from his/her primary carers, the primary carers should **usually** be notified of the concern; however, in the early stages of a sexual abuse investigation, primary carers are not informed. This needs to be confirmed with the local area social worker.

The responsibility for investigation normally falls to the borough in which the child resides. If the child does not reside in Westminster, and if there is a dispute with regard to jurisdiction, the School has the right, under the London Child Protection Procedures, to request the case be referred to Westminster (the borough in which the School is located), who will endeavor to resolve the dispute about responsibility. Should an allegation be made against an ASL employee, the designated person contacts the designated officer (formerly known as the 'LADO') in Westminster City Council. In addition, the designated person will complete and sign a written report within 48 hours (preferably within 24 hours) and send it to the Children's Services in the relevant borough. The report will be held in the strictest of confidence.

7. Once a referral has been made, Children's Service determines whether:

- the child requires immediate protection and urgent action is required;

- the case meets the threshold for section 17, a child in need;
- the case meets the threshold for section 47, a child suffering, or likely to suffer, significant harm;
- any services are required by the child and family and what types of services;
- further assessments are required in order to create an action plan.

The designated safeguarding lead and safeguarding team work with the social worker. If, after a referral, the child's situation does not appear to improve, the safeguarding team will consider local escalation procedures to ensure that concerns have been addressed, and, most importantly, that the child's situation has improved.

8. A copy of the referral to Children's Services will be held in a locked cabinet in the office of the designated safeguarding lead, who will serve as the main key holder. Designated personnel will have access to the key in the absence of the designated safeguarding lead. All other safeguarding concerns that are raised about a child's welfare or maltreatment, and do not result in a referral to Children's Services, are kept in a password protected confidential safeguarding team drive to which only the designated persons, deputy designated safeguarding leads and the designated safeguarding lead have access.

9. If the designated person believes that a child's life or health is in imminent danger, s/he should contact the emergency services (dial 999).

10. If a child is not in urgent need of emergency services, then action will be taken by the Children's Services in the relevant borough to ensure the child's immediate safety. This could include an application to court for an order or police power of protection. This is used when there is thought to be an immediate serious risk to the child.

11. In the case of an allegation of abuse against employees, the Head of School will consult with Westminster City Council's designated officer immediately, and follow their recommendations. In the case of a whistleblower reporting an allegation of abuse against a designated person, the Head of School will similarly consult with the designated officer in Westminster City Council. In the case of an allegation against the Head of School, the Board of Trustees would consult immediately with the designated officer in Westminster City Council. It should be noted that should an allegation of abuse be made against an employee that results in an in-house disciplinary procedure, there may also be a child protection investigation, and/or a criminal investigation process. The police investigation will take precedence over the internal disciplinary investigations.

12. The School has a duty to refer relevant information to Westminster's LSCB (note: LSCB will change by September 2019) and, when appropriate, the Disclosure and Barring Service so that any individual who poses a threat to children can be identified and barred from working with children. In such instances, the individual would have been deemed to have:

a) engaged in 'relevant conduct,' which is defined as conduct that:

- is likely to endanger a child
- involves sexual material relating to children
- involves sexually violent images
- is of a sexual nature involving a child as defined in Safeguarding Vulnerable Groups Act 2006, and

b) satisfied the 'harm test.' The harm test is satisfied if there is evidence that the person has:

- harmed a child
- caused a child to be harmed
- put a child at risk of harm
- incited another to harm a child.

The School has a legal duty to refer if an individual is cautioned or convicted of an offence that satisfies the 'relevant offence test' as defined by the Safeguarding Vulnerable Group Act 2006.

13. If a student withdraws from ASL, the School is obliged by law to pass along to the student's new school all relevant information kept on file. This will include confidential information related to safeguarding concerns or activity.

14. If any member of the school community feels that the School is not doing due diligence in its safeguarding responsibilities, s/he can speak directly and anonymously to the NSPCC on their advice line, 0800 028 0285. This phone line is available from 8 am to 8 pm, Monday to Friday. The email address is help@nspcc.org.uk.

STATUTORY RESPONSIBILITIES

According to the Department for Education (DfE), all schools in the UK, including independent schools such as ASL, are expected to follow child abuse reporting procedures as outlined above. Section 157 of the Education Act 2002 and The Education (Independent Schools Standards) (England) Regulations 2003 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of students at the School. It is not the responsibility of employees in the School to investigate suspected abuse. The School should

not take action beyond that agreed in the procedures established by the LSCB. ASL's local LSCB is Westminster.

Failure to respond appropriately to a suspicion or disclosure of child abuse could be construed as willful misconduct or gross negligence. ASL aims to work cooperatively with Westminster's Children's Services or the relevant protective agency with respect to advice, reporting and investigation.

Children staying with host families

Students are housed with host families overseas when suitable. Understanding that the DBS cannot access criminal records held overseas, the School works with the partner school to ensure that proper checks have taken place and will decide not to allow students to be housed abroad if safeguarding measures at the host school do not meet the school's criteria. If ASL hosts students from overseas, all adults in the ASL host family over the age of 18 will have obtained a DBS, except for ASL students living in the home who may be 18 years or older.

RECRUITMENT

Essential information about safer recruitment is contained in 'Keeping children safe in education: safer recruitment, (part 3),' September 2018. The School operates safe recruitment procedures and it is essential that all appropriate checks are carried out on new employees and volunteers who will work with children. Safe recruitment practice means conducting interviews that explore a candidate's suitability to work with children and young people, scrutinizing applications for discrepancies, verifying identity and academic or vocational qualifications, obtaining professional and character references, checking previous employment history and making sure a candidate has the health and physical capacity for the job. The School makes checks against the Disclosure and Barring Service for all employees and regular volunteers, in addition to checks for any prohibition orders (including EEA sanctions and prohibition from management checks). Individuals who have recently arrived in the UK, or whose last period of employment working with children was overseas, must provide a background check from the country where they were previously living/working, and the School reserves the right to request background checks from any overseas country where the candidate has previously resided. Further guidance is available from the human resources manager, and full details are contained in the 2018 Vetting and Safer Recruitment Policy.

TRAINING

1. Annual Child Protection Training is MANDATORY for all ASL

employees and regular volunteers, and is a condition of employment at ASL. Initial training sessions are offered at various times during the academic year for new employees.

2. All other employees working with children undertake training on an annual basis that equips them with the knowledge and skills necessary to carry out their responsibilities for child protection, and temporary employees and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities. This training will be contracted and provided by child protection advisors including members of the City of Westminster Safeguarding and Quality Assurance team.

3. In addition to basic child protection training, the designated persons undertake training in inter-agency working that is provided by, or to standards set by, the LSCB and refresher training at two-year intervals to maintain their knowledge and skills.

SUMMARY

Any deficiencies or weaknesses in regard to child protection policy and procedures are remedied without delay, and the Head organizes an annual review of the school's policies and procedures relating to safeguarding and how the above duties have been discharged.

For detailed procedures regarding the reporting and investigation of child abuse, please refer to the following documents, which are on file with the designated safeguarding lead.

1. 'Children missing education,' September 2016
2. 'Keeping children safe in education: Statutory guidance for schools and colleges,' September 2018
3. 'Sexual violence and sexual harassment between children in schools and colleges,' May 2018
4. 'What to do if you think a child is being abused,' March 2015
5. 'Working together to safeguard children,' 8th edition, July 2018

Please also refer to the following documents in ASL's Forms and Documents:

1. *ASL Data Protection Policy*
2. *ASL Middle School and High School Code of Conduct*
3. *ASL Standards for Safe Working Practices*

4. *Anti-Bullying Policy*
5. *Responsible Use Agreement*
6. *High School Responsible Use Agreement*
7. *Middle School Responsible Use Agreement*
8. *Lower School Responsible Use Agreement*
(K1-Grade 2 and Grades 3-4)
9. *Social Media Guidelines*
10. *Student Web Publishing Guidelines*
11. *Statement on Harassment*
12. *Vetting and Safer Recruitment Policy*
13. *Whistleblowing (Public Interest Disclosure) Policy and Procedure*

Revised: September 2018

Approved by the Board of Trustees: 26 September 2018

This policy will be reviewed on an annual basis.