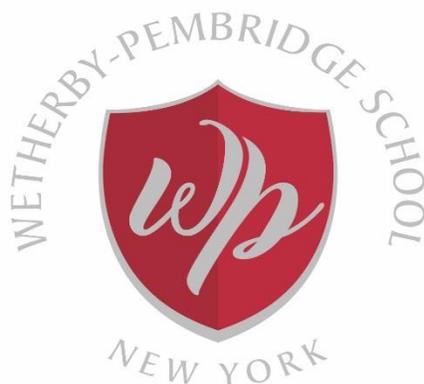


WETHERBY-PEMBRIDGE SCHOOL



School Safeguarding Policy

**Reporting Abuse and Maltreatment
Reporting Abuse in the School Setting
Referrals to the Committee on Special Education
Bullying and Harassment
Reports to the Department of Health**

September 2021 – August 2022

Authorised by: Kate Bailey

Review date: September 2021

Next review date: 1 September 2022

Signed: Kate Bailey

Submitted: September 2021

Preface

- We recognize the paramount importance of our role protecting children from abuse and maltreatment and in the wider safeguarding system for children.
- Our policy has been developed in consultation with experienced and expert staff both in the United States and in the UK. The policy is reviewed annually, or immediately in the event of changes to guidance. Effective implementation and adherence to the policy is reviewed through an annual cycle of governance review visits.
- As detailed throughout this document, our policy complies with relevant statutory and non-statutory guidance, including laws regarding Child Protection and Child Find in the United States. It also draws on best practice guidance from the UK's guidance 'Keeping Children Safe in Education' 2021. This policy applies wherever staff are working with children, including when off-premises.
- COVID-19
- Keeping Children Safe in Education (KCSIE) 2021 remains in force throughout the response to coronavirus (COVID-19)

- Recognizing that safeguarding is the responsibility of **everyone** within the organization, we ensure that mechanisms are in place to assist all members of staff to understand and discharge their responsibilities, and that they are appropriately and regularly informed and trained. All staff are obliged to make an annual affirmation statement that they have read and understood this policy.
- Our policy is available to parents on request from the School Office.
- This policy should be read in conjunction with our other policies, which concern the welfare of children.

- Staff Conduct policy;
- Ethical and professional conduct (Alpha Plus Group policy)
- Behaviour and Discipline policy
- Anti-bullying policy, which includes cyber-bullying;
- Acceptable Use Policy for Staff;
- Acceptable Use Policy for Pupils;
- Health and safety policy;
- Online Safety Policy;

<ul style="list-style-type: none"> • Social Media Policy; • Whistleblowing Policy; • Recruitment Policy; • Risk Assessment policy; • Missing Child Policy • Special Educational Needs and Disability (SEND) policy; 	
Primary person responsible for implementation and monitoring of this policy	<p>Designated Safeguarding Lead: Kate Bailey (Head of School) Telephone: cell: 917-733-7037 Email: kate.bailey@wetherbypembridge.org</p> <p>Deputy Designated Safeguarding Lead: George Kinsey (Pastoral Coordinator) Telephone: cell: 631-834-3866 Email: george.kinsey@wetherbypembridge.org</p>
Review date:	September 2021
Adopted:	September 2021
Next Review:	September 2022

Key Contact Details

Governance – The Alpha Plus Group Ltd

<http://www.alphaplusgroup.co.uk/AboutUs/Governors/>

Governor contact details:

- John Withers (Nominated lead) – 0207 487 6000;
john.withers@alphaplusgroup.co.uk
- Mark Hanley-Browne (CEO) – 0207 487 6010;
MHB@alphaplusgroup.co.uk
- Sir John Ritblat (Group Chairman) – 0207 448 1960;
john.ritblat@delancey.com

Alpha Plus Group Ltd, 50 Queen Anne Street, London W1G 8HJ
enquiries@alphaplusgroup.co.uk

Emergency Telephone Contacts
Must Be Posted in Every Classroom

New York Police Department, 23rd Precinct
162 East 102 Street, New York, NY, 10029-5721
(212) 860-6411
Emergency: 911

Fire Department of New York (FDNY)
Emergency: 911
Non-Emergency: 311
FDNY Headquarters: (718) 999-2000

Poison Control Center
(800) 222-1222 or (212) 764-7667

Statewide Central Register of Child Abuse and Maltreatment
Mandated Reporter Hotline: (800) 635-1522
Administration for Children's Services: (212) 341-0900

Department of Health and Mental Hygiene
Bureau of Child Care
Non-emergency: 311

Office of Advocacy: (212) 676-9421

Reporting Communicable Diseases: 1-866-NYC-DOH1 Main Number: 646-632-6100

Wetherby-Pembridge School Ethos

Wetherby-Pembridge School will deliver the highest quality, independent education in a co-educational environment.

Our high academic standards, traditions and pastoral care will create a child-centered environment where unique needs and learning styles are met and children have the chance to excel.

Wetherby-Pembridge School life is vibrant and full of opportunity; where social responsibility, citizenship, and good character are as important as intellectual success and every child develops a sense of balance and a healthy overall perspective of the world.

PART A – GENERAL PRINCIPLES

Principles of safeguarding and child protection

Children have a right to be safe, and to feel cared for and supported. Adults have a responsibility to protect children. The safeguarding of children and the promotion of their welfare is a simple and uncontested priority of society and is of paramount importance to us.

This policy provides guidance on the obligations of all staff to respond to threats to the welfare of children.

In New York we follow the laws and regulations of New York State and New York City while embracing the standards and values that guide our schools in the UK, including the contents of UK guidance ‘Keeping Children Safe in Education’ 2019 (see appendix 1). In New York as in the UK, we value the role played by local authorities and agencies in helping us to keep children safe.

The scope of welfare

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment;
- preventing impairment of children’s mental and physical health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes

Welfare also includes children’s feelings of being valued, supported, respected and listened to. This is especially relevant when their individuality and differences are not being respected. Such differences might be cultural, racial, religious, or based on special needs or disabilities.

Staying alert and responsive to these aspects of welfare and providing early help as soon as a problem emerges, are at the heart of everything we do to keep children safe. We take a child-centered approach, meaning that we consider at all times what is in the best interests of the individual child, taking action to enable all children to have the best possible outcomes.

Identifying risks to the welfare of children

Risks can arise from many different sources and be categorized in a number of different ways.

The source of a risk may be from people known to the child and in close physical proximity, or it may be more remote and anonymous, including via the internet.¹ The risk may be from adults, including family members, teachers or other professionals. It may also be from other children (e.g. bullying) and staff should be aware that safeguarding issues could manifest themselves via peer on peer abuse. A risk to welfare may also manifest itself through a child harming itself, whether consciously or otherwise.

Staff should consider 'contextual safeguarding', which means they should consider whether wider environmental factors (for example, the child's peer group) may affect a child's vulnerability, posing a threat to their safety and/or welfare. They should also be alert to behaviors that can put children at risk of harm. For example, behaviors linked to issues such as alcohol abuse, deliberately missing education and sexting put children in danger.

All children are potentially at risk, but children with disabilities or special educational needs are especially vulnerable. They are more prone to peer group isolation; can be disproportionately impacted by behaviors such as bullying; and have communication barriers, which may inhibit them from reporting abuse. Staff should also be alert to the fact that indicators of abuse may be interpreted as part of a child's disability.

Being sensitive to the indicators of risk is central to our culture of safeguarding, and underpins the induction of staff, and ongoing awareness-building and training of staff.

Duty of Staff

All staff (including supply staff and volunteers) have a responsibility to identify children who may be in need of extra help or who are suffering or are likely to suffer harm. All staff have a responsibility to take appropriate action, working with other services as needed.

General Staff Conduct

The early identification of potential problems, and the provision of early help

, relies upon the following general expectations, which apply to all staff (including supply staff and volunteers) at all times:

- Staff must be vigilant and open-minded and maintain the attitude "it could happen here."
- Staff must regularly encourage all children to share any concerns they have with an adult and they must listen sympathetically, taking any allegations seriously.
- Staff must ensure that they:

¹ These risks and our related controls and procedures are covered extensively by our E-safety and ICT usage policies.

- always act in the best interests of the child
- understand the public systems and processes which are in place to support children in New York City and **always** seek clarification if anything is not clear to them
- are able to identify children who may be in need of additional academic or pastoral support or accommodations and respond in appropriate ways to help parents to seek further assessment and planning
- are familiar with the indicators of various types of child abuse
- understand their obligations to report suspicions of child abuse or maltreatment immediately. Child abuse is defined below along with procedures to be followed
- have received appropriate child protection training and understand their obligation to participate in training at appropriate intervals thereafter. Staff-members are responsible for checking with the DSL if they are unsure about their training requirements, or feel that they need further training
- recognize their responsibility to raise concerns² about potential failures in the School's safeguarding regime, and to follow-up if such concerns are not taken seriously by the senior leadership team.

Duty of parents

This policy focuses on the duties and the responsibilities of the educational establishment, but it is also worth stating briefly our expectations of parents. Parents are expected to help their children to behave in non-violent and non-abusive ways towards both staff and other pupils. Parents will be informed if it is ever necessary to restrain a child to protect a pupil from injury or to prevent a pupil from harming others³.

Parents should always inform the school of any accidental bruising or other injuries that might otherwise be misinterpreted. They should also inform the school of any changes in home circumstances, such as the death of a member of the family, separation or divorce that might lead to otherwise unexplained changes in behavior or characteristics.

Under the New York Health Code, parents are expected to report to the School within twenty-four hours any absence for a disease or conditions that may be a danger to the health of other children. A full list of reportable diseases is available on request. In addition, parents are expected to provide the School with written authorization for the School or teachers in the School to obtain emergency medical care for their child and to provide emergency treatment, including administration of epinephrine by auto-injector in case of a severe allergic reaction.

When a child in the early childhood program is unexpectedly absent for three consecutive days without a call from parent or guardian, the DSL will telephone the

² Please refer to the Whistleblowing policy, available on the Alpha Plus Group Portal

³ The school acknowledges good practice guidance outlined in the UK's guidance 'Use of reasonable force in schools', 2013. Where the incident involves children with SEN or disabilities or with medical conditions, the school will consider the risks carefully and recognise the additional vulnerability of these groups.

parent to determine the cause of the absence and shall maintain a record of the telephone call and the information maintained.

PART B – RESPONDING TO THE DISCOVERY OR DISCLOSURE OF A SAFEGUARDING CONCERN

1. IDENTIFYING AND ACTING ON CONCERNS

Safeguarding concerns can arise in a variety of ways. Staff (including supply staff and volunteers) may become concerned by direct observation, general chatter, or the behavior of a colleague, or a child's caregiver. Information might be received from another child, an internet user, or via an external support service. Changes in a child's appearance or behavior might trigger concerns or unusual physical injuries to a child may become noticeable. It is important to note any patterns of indicators, which could be indicative of an underlying concern.

The schools recognizes that children can be harmed through:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

Risk indicators that can help staff to recognize these types of abuse are included in appendix 2. Staff should remember that safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases, issues cannot be covered by one definition or label alone and multiple issues will overlap with one another.

All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. The breadth of issues classified within online safety is considerable, but can be categorized into four areas of risk: content, contact, conduct and commerce (see the school's online safety policy for further details).

Disclosures

Children rarely make direct disclosures; however, if a child (either as a victim or as a third party) asks to speak with a staff-member about anything relevant to safeguarding concerns, it is essential that they are listened to and taken seriously and that their disclosure is treated discretely and sensitively.

Staff must never promise confidentiality, nor tell the child that they will keep a secret. However, they should be clear that they will only tell those who need to be involved to protect the child's welfare.

The staff-member should listen sympathetically and carefully right to the end of what the child has to say. The child may have been struggling with this decision for days or weeks, and may have had to summon up tremendous courage to come forward. Therefore, however uncomfortable the details, the child should not be stopped mid-account nor be told that they need to speak to someone else. Avoid taking notes while the child is speaking, as this can put unhelpful pressure on the child by formalizing the situation.

As a fundamental principle, children should be given a fair hearing and taken seriously. Even if the staff-member suspects the child's disclosure is implausible, fanciful or malicious, they should continue to listen carefully, without betraying any hint of skepticism or asking any leading questions.

It is not the role of school staff to investigate reports of abuse. It is their role simply to gather sufficient information to be able to make a preliminary decision about how to proceed. For this reason alone, staff-members listening to disclosures from children can, when necessary, gently ask questions for basic clarification of the facts such as "what?", "when?" and "where?". However, they should be careful not to invite the child to speculate about motive as this might undermine any criminal investigation, and can prejudice outcomes.

At the end of the disclosure, the staff-member should reassure the child that they have done the right thing and offer a guarantee that the information will be taken seriously. The child should be reassured that the matter will be dealt with by experienced, caring people who operate with the greatest discretion. The child should also be advised that they will be kept informed of the progress of the disclosure, and their wishes and feelings taken into account in responding to the matter.

Reporting

Staff should not wait for a disclosure nor should they assume that another professional will take action. If staff have any concerns or a disclosure is made they should speak to their designated safeguarding lead (DSL) or Deputy DSL without delay (see the contact details on page 2).

Staff must be aware of mandated reporting requirements, as outlined below.

2. MANDATED REPORTING TO THE STATEWIDE CENTRAL REGISTER FOR CHILD ABUSE AND MALTREATMENT

Under New York Law, Mandated Reporters are individuals who are obligated by law to report suspected child abuse or maltreatment to the Statewide Central Register of Child Abuse and Maltreatment (also referred to as the "Hotline"). Mandated Reporters include all school administrators, teachers and support staff. Childcare aides or support staff who work with children Three to Five are also mandated reporters.

For purposes of mandated reporting, the terms “child abuse” and “maltreatment” refer to harm inflicted by parents or caretakers. The following guidelines refer to this obligation to report.

- a. Child abuse, for purposes of mandated reporting, refers to conduct of a parent or caretaker which results in serious physical injury, creates a substantial risk of serious physical injury or constitutes sex abuse. Sex abuse is defined as a sex offense which violates the NY Penal Code and includes conduct resulting in participation of a child in an act of prostitution, incest, or obscene sexual performance.

Parents / caretakers can be found responsible for abuse by inflicting such harm or by allowing such harm to be inflicted by somebody else.

Child Abuse is Defined in § 412 of the NY Social Services Law and § 1012 of the NY Family Court Act. The Family Court Act includes citations to the Sections of the NY Penal Code, which describe the offenses that constitute Sexual Abuse.

- b. The term Child Maltreatment refers to a serious physical injury inflicted by a parent or caretaker by other than accidental means, but it can also refer to Child Neglect, as defined in § 1012 of the Family Court Act. Maltreatment occurs when a parent or caretaker fails to exercise a minimum degree of care in providing a child with food, clothing, shelter, education or medical care when financially able to do so, and such failure results in impairment of a child’s physical, mental or emotional condition or creates an imminent danger of such impairment. Maltreatment can also refer to failure to provide proper supervision or guardianship – either by inflicting excessive corporal punishment or by misusing drugs or alcohol to the extent that functioning is impaired.

Maltreatment is defined in § 412 of the New York Social Services Law and in greater detail in § 1012 of the NY Family Court Act.

- c. Excessive absence from school can constitute Maltreatment. The law in New York is not specific as to the number of absences that would provide reasonable cause to suspect that a child is educationally neglected, but the DSL will monitor attendance and take appropriate follow-through actions when there are excessive unexcused and unexplained absences. If it appears that parents are aware of these absences and are failing to take steps to address the problem and that such absences are creating a risk of impairment of the child’s mental or emotional condition, a report of Maltreatment will be appropriate.

Mandated Reporters are obligated to make a report, or cause a report to be made, when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is Abused or Maltreated (as defined above) or when the

parent, guardian or custodian or the person legally responsible for the child comes before them in their professional or official capacity and states from personal knowledge facts which, if correct, would render the child Abused or Maltreated.

Procedure for Mandated Reporting

Whenever a Mandated Reporter has reasonable cause to suspect that a student at the school is an Abused or Maltreated Child (certainty or proof is not required), the staff member will immediately notify the Designated Safeguarding Lead or her Deputy. The Designated Safeguarding Lead (DSL) at Wetherby-Pembridge is Kate Bailey, Head of School. The Deputy DSL is George Kinsey, the Pastoral Coordinator. The DSL (or her Deputy) then also becomes responsible for reporting or causing a report to be made to the State Central Register.

The legal obligation to report rests on the Mandated Reporter. Informing the DSL (or her Deputy) does not change the obligation of the Mandated Reporter to make the report or cause the report to be made. If the DSL or Deputy DSL is unavailable to make a call or for any reason is unable to make the call in a timely fashion, the Mandated Reporter must make the call to Statewide Central Register directly. Advising the DSL of the need to report makes the DSL jointly responsible for making the report, or causing the report to be made, but it does not absolve the Mandated Reporter of his or her responsibility to cause a report to be made.

Mandated Reporters will report suspected Child Abuse or Maltreatment by telephone or by telephone facsimile (FAX) on an Office for Children and Family Service form (OCFS-2221) to the State Central Register immediately upon determining there is reasonable cause to suspect Abuse or Maltreatment. The DSL may be able to assist in making this determination, but the Mandated Reporter does not need the permission of the DSL to make a report and must report immediately if the DSL or Deputy DSL is not available.

The Statewide Central Register Mandated Reporter Hotline Number is 1-800-635-1522.

Within 48 hours of making the oral (or fax) report, the Mandated Reporter will provide a signed, written report to the Administration for Children's Services (ACS), 150 William Street, New York, NY 10038. Form OCFS 2221-A is used for this purpose. A copy of the form is included in the handbook. It can also be accessed on the OCFS website at https://ocfs.ny.gov/main/documents/docs.asp?document_type=1&category_number=5. ACS will be the agency investigating the report and the DSL may bring additional information to the attention of ACS after the report is filed.

Records and Investigation

Once the Report is filed, the DSL will be the School's liaison with Statewide Central Register and ACS and will assure that a written follow-up report is timely filed. The DSL will be responsible for responding to requests for records made by ACS and will provide copies of all school records that relate to the Mandated Report, including, as applicable, records relating to assessments or academic progress. Records will not be released,

however, without authorization by the Student's parent or guardian or a court order if, in the opinion of the DSL, they are not related to the Mandated Report and not necessary for the investigation.

The DSL will also respond to any requests by ACS to interview the child. Under certain circumstances the DSL may permit such interview on school premises during school hours if there may be a risk of imminent danger to the child and if time is a factor or if, in the opinion of the DSL, an in-school interview would be in the best interests of the student. The DSL or her designee will be present for any such interview.

Photographs and X-Rays

Mandated Reporters will take photographs of visible marks or evidence of abuse. The purpose of these photographs is to preserve evidence of any areas of trauma visible on a child named in a report. If medical treatment is sought for a child under emergency conditions, the DSL may take or arrange for photographs of visible trauma and may, if medically indicated, arrange for x-rays to be taken. Photographs and x-rays will be submitted with the written report.

Photographs must be taken in a private setting in a way that best serves the interest and privacy of the child. Photographs must be taken with a School device (phone or camera) and may not be taken with a personally owned device. No photographs may be taken and no examination may be conducted of a child's genital, perineal or breast areas.

Once a report is made, the photographs should be submitted as soon as possible, in line with guidance from the Statewide Central Register. As soon as confirmation of receipt has been obtained and saved, the photograph should be deleted from the device.

Confidentiality

Information that would identify the source of a report to Statewide Central Register is confidential and would be available only to courts, grand juries, bona fide researchers with the approval of the Office for Children and Family Services (OCFS), district attorneys, law enforcement agencies, the New York City Department of Investigation and State and local comptrollers for purposes of audits. The subjects of a report (parent, caretaker or child) do NOT have access to this information. Records maintained by the School about a report to the Statewide Central Register will not be maintained in the student's education record and will not be available to parents or other third parties who are authorized to review the education record.

Access to Results of the Investigation

When a Report is made, the Statewide Central Register is expected to ask if the Mandated Reporter wishes to learn the outcome of the investigation. The Statewide Central Register will note in the record the School's wish for this information. The

information released by the Statewide Central Register will be limited to whether the Report is “Indicated” or “Unfounded.”

Consequences

All persons who report suspected Child Abuse or Maltreatment and take photographs of injuries are presumed to have done so in good faith and are immune from both civil and criminal liability. This immunity does not prevent persons from suing who feel that their rights were violated by being named in a Mandated Report, but the presumed good faith of the reporter provides a defense in any such action.

Willful failure to report a case of suspected Child Abuse or Maltreatment is a Class A misdemeanor punishable by up to a year in jail and/or a fine of up to \$1,000. In addition, a Mandated Reporter can be held civilly liable for the damages proximately caused by the failure to report.

The names of the mandated reporter and whether or not the report came from the School will not be disclosed to persons who are subjects of the report. If school personnel have reason to suspect that a CPS worker disclosed a mandated reporter’s identity or school affiliation to the subject of the report or a parent or other family member, this concern shall be reported to the ACS Office of Safety First at 718-543-7233.

3. RECORD KEEPING

All concerns, discussions and decisions made, the reasons for those decisions, and any actions taken, should be recorded in writing. Records should include a clear and comprehensive summary of the concern; details of how the concern was followed up and resolved; and a note of any action taken, decisions reached and the outcome. Staff record all concerns, meeting minutes and dated concerns in the school My Concern database.

4. INFORMATION SHARING

The school acknowledges the importance of data protection. Accordingly, it ensures that information is:

- Only shared when necessary
- Only shared with those individuals who need to have it
- Accurate and up-to-date
- Shared in a timely fashion
- Shared securely

Staff must remember that the principles of data protection do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe. If in doubt, staff should consult with the DSL.

5. CHILD ABUSE IN A SCHOOL SETTING

Safer recruitment

Wetherby-Pembridge, as part of the Alpha Plus Group, operates 'safer recruitment' procedures for all positions involving supervision of children.

All staff who are candidates for positions in the School's program for children between the ages of three and five, or for other positions in the school which may involve unsupervised contact with children between the ages of three and five, must be fingerprinted and screened for criminal convictions and pending criminal actions. They must also receive a screening clearance from the Statewide Central Register of Child Abuse and Maltreatment. The purpose of this inquiry is to determine whether such candidates, including owners, administrators and volunteers who may have contact with children in this program, are named in Statewide Central Register records as the subjects of reported incidents of child abuse or maltreatment which have been indicated or which are under investigation. To complete this screening, candidates for these positions are required to inquire into their own Statewide Central Register records and to submit the results of the clearance inquiry to the School's administration. A form for inquiry is provided for this purpose.

Any prospective staff employed from the UK are subject to criminal records checks, checks by the Disclosure and Barring Service (DBS) List, and compliance with the Independent School Standards Regulations. Pre-employment checks are carried out in line with Alpha Plus Group's recruitment policy and in accordance with Part three of Keeping Children Safe in Education 2021.

If an individual holds a teaching certificate in New York or is an applicant for a teaching certificate, we will report any act which raises questions about the individual's moral character to the New York State Education Department. Where an individual in regulated activity has been subject to a UK DBS check we observe the requirement to make a referral to the Disclosure and Barring Service (DBS) if the individual is dismissed, suspended or re-deployed due to safeguarding concerns, or would have been had they not resigned. Referrals will be made as soon as possible, and ordinarily on conclusion of an investigation.

Any offer of appointment to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of pre-employment checks. This includes verifying a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available. Evidence will also be required to verify professional qualifications, including certificates and educational transcripts, as appropriate.

Prior to commencing work, all staff and volunteers shall present a certificate from a licensed health care provider certifying that, on the basis of medical history and physical examination, such staff member or volunteer is physically and mentally able to perform assigned duties. Such certificate shall be submitted every two years thereafter as a condition of employment. Health care providers shall certify that each staff member or volunteer has been immunized against measles, mumps, rubella, varicella (chicken pox) and tetanus, diphtheria and acellular pertussis (Tdap) in accordance with recommendations of the CDC Advisory Committee on Immunization Practices, and subject to the provisions of § 43.11(c) of Article 43 of the New York City Health Code.

For staff who will work with children between the ages of three and five, a written inquiry will be made to the applicant's three most recent employers to obtain three references. If a candidate has not had three prior employers, references may be accepted from persons with direct knowledge of the candidate who are not family members.

For staff who will work with older children, at least two references will be obtained from prior employment, or if there is good reason for these being unavailable, from other appropriate sources.

If the person has lived or worked outside the UK, further checks may be considered appropriate including checking for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed using the Teacher Services system.

We maintain a single central register containing a record of all appropriate checks on staff.

An employee who is arrested or is notified that he/she has been made the subject of a report to the Statewide Central Register must notify the DSL within twenty-four hours of such arrest or notification of an allegation of child abuse or maltreatment.

Under the NYC Health Code, staff are also expected to report to the DSL if they become ill with or show symptoms of, a communicable disease, including measles, mumps, rubella, pertussis (whooping cough), scarlet fever, meningitis (all types), or poliomyelitis. The DSL will report such illness or symptom to the Department of Health, and such staff person may be excluded from work until he/she is able to present a written statement of recovery from a health care provider.

Corporal Punishment, Verbal Abuse, or Discipline that Frightens or Demeans

Corporal punishment is prohibited. Disruptive behavior of a student must never be punished by physical force. Corporal punishment does not include the use of reasonable physical force to protect oneself from physical injury or to protect another pupil or teacher or any other person from physical injury or to restrain a child for reasons of safety.

Verbal abuse is also strictly prohibited. Prohibited verbal abuse includes language that tends to cause fear or physical or mental distress; that includes words referring to actual or perceived race, color, weight, national origin, ethnic group, religion, disability, sexual orientation, or gender, which tend to cause fear or distress or that may belittle a student or subject the student to ridicule.

Also prohibited is any method of discipline that frightens, demeans or humiliates a child, whether or not the employee engaging in such discipline intends this result.

In any case in which corporal punishment or verbal abuse or inappropriate discipline is witnessed by a staff member or reported to a staff member, the following steps will be taken:

- the staff member shall prepare an immediate written report to the DSL;
- if the report involves the Three to Five Program, the DSL will promptly take steps to respond to the child who was the subject of the report and will follow with a report to the Statewide Central Register
- in all other cases the DSL will decide on the appropriate course of action.

Concerns and Allegations about another Member of Staff

If a disclosure, or any other evidence, reveals possible safeguarding concerns about any staff members then this should be referred to the Head of School.

Where there are concerns/allegations about the Head of School, this should be referred to the nominated Lead Governor for Safeguarding (see page 3 of this document for contact details).

Further details about how an allegation should be handled can be found in Appendix 3.

6. IDENTIFICATION OF CHILDREN IN NEED OF ADDITIONAL EDUCATIONAL SUPPORT

Staff must ensure that they are able to identify children who may be in need of additional help to benefit from our academic program and the social and character-building opportunities afforded by the Wetherby-Pembridge School. In line with the general principles of our Safeguarding Policy, where it appears that a child may need special supports, staff should report concerns to the DSL who will determine a course of action.

The DSL will arrange for appropriate assessment and interventions consistent with the School's child-centered approach. In the event that it appears that additional supports are needed, the DSL will take steps to assist staff and parents to determine whether the child is eligible for publicly provided special education services.

It is special education policy in New York State that children with disabilities resulting from physical, emotional or mental conditions receive timely and appropriate special

education services. These services, which may include specially designed individualized instruction or related services, including speech therapy, occupational or physical therapy or paraprofessional support, may be available, at no additional costs to parents, to children attending private school in New York City.

Parents/guardians of children aged Three to Five will be referred to the Committee on Preschool Education (CPSE) which is located in the public school district in which the parents reside. Parents may seek evaluation and review of their child's needs by a multidisciplinary team which will include a representative of Wetherby-Pembridge. If the child is found to be eligible for special education, services may be provided by a special education professional within the child's Wetherby-Pembridge classroom. A list of Committees on Preschool Education by community school district is available on the website of the New York City Department of Education at <http://schools.nyc.gov/Academics/SpecialEducation/Help/Contacts/CSECPSE.htm>.

Parents/guardians of children who have reached the age of five may seek evaluation and a determination of whether their child is eligible for special education by contacting the Committee on Special Education in Region IX, the community school district in which Wetherby-Pembridge is located. With the consent of parents, the DSL will assist with this referral by providing assessment results and academic records which may support the need for additional services. A staff member from Wetherby-Pembridge will participate in any CSE meeting at which an Individualized Education Service Plan (IESP) for the student is discussed. The CSE for Region IX can be reached by writing to the CSE Chairperson at the following address: **333 7th Avenue, 4th Floor, New York, NY 10001. The telephone number for the Committee is (917) 339-1600.**

7. ADDRESSING BULLYING AND BIAS-BASED BEHAVIOR

All staff should be aware that safeguarding issues are not confined to instances where children are harmed by adults. Safeguarding issues can also be raised when staff become aware of peer-on-peer abuse, included physical, sexual, emotional and/or financial abuse. Peer on Peer abuse involves coercive control, exercised between children, and within children's relationships, friendships and wider peer associations. It can take various forms including, but not limited to: serious bullying (including cyberbullying), physical abuse. Sexual violence and harassment, sexting, upskirting, initiation/hazing type rituals, and violence. The abuse may take place in person and/or through technology. Upskirting is regarded as a Class E felony in New York State, punishable by 1 to 4 years in prison. In New Jersey, it is also illegal, punishable with either a \$10,000 fine or 18 months in prison. This coincides with the act now becoming illegal in the UK.

It is the policy of Wetherby-Pembridge to maintain an environment free of discrimination and harassment. Staff must be clear that abuse is abuse and should never be tolerated or dismissed as 'banter', 'just having a laugh' or 'part of growing up'. No student in the school shall be subject to disrespect based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

If a staff member witnesses, or receives a complaint, of any bullying or bias-based behavior, whether consisting of words or actions, the staff member shall immediately notify the DSL. The DSL will arrange for prompt investigation of all reports of harassment, discrimination or bullying.

Following a fair and prompt investigation, the DSL will decide on an appropriate course of action, which may include notification to parents of students involved, counseling of the students whose actions were the subject of the report and the students who may have been hurt by these actions, and targeted school wide instruction on diversity, mutual respect and kindness. In certain instances, disciplinary measures may be taken, including loss of privileges or suspension from school.

Further information can be found in the school's peer-on-peer abuse staff guidance policy.

Support and sanctions will be considered on a case-by-case basis. In some cases, instances will be recorded, investigated and dealt with under the school's behaviour and anti-bullying policies. However, this safeguarding policy and the procedures outlined above will apply to any allegations that raise safeguarding concerns. If in doubt, staff should always consult with the DSL or Deputy DSL, who will use their professional judgement to assess the nature and seriousness of the alleged behaviour.

Where cases involve a safeguarding concern the DSL will determine the best course of action, taking into account the child's wishes. Actions may include:

- Consulting with the children involved to understand their needs
- Managing the incident internally with help from external specialists where appropriate and possible
- Contributing to inter-agency early help assessments
- Making a referral to social care, where a child is at risk of or suffering harm
- Reporting alleged criminal behaviour to the police
- Carrying out a risk assessment and creating a safety plan to protect and support the children directly involved, and others who may have been impacted
- Liaising with the senior leadership team to determine whether disciplinary action is required
- Bolstering protective factors and influences within the school to protect against future instances of peer on peer abuse

In cases of sexual violence and harassment:

- Incidents must be reported to the DSL/Deputy as soon as possible and responded to in line with national guidance, with reference to Part 5 of KCSIE and the Department for Education's (England) guidance on Sexual violence and sexual harassment between children in schools and colleges.

- If the incident involves youth produced sexual imagery (where a child creates and/or shares sexual imagery of themselves or another child; also known as 'sexting') staff should avoid viewing any pornographic images of children but should ensure such images are not deleted from devices, as they may form part of a police investigation. New York State guidance on sexting will be followed as part of the school's response.
- **Immediate** consideration will be given as to how best to support and protect the victim and the alleged perpetrator (and any other children involved/impacted). An immediate risk and needs assessment will be completed. As part of this, consideration should be given to the proximity of the children involved in school. The pupils should also be invited to choose a designated trusted adult they can talk to about their needs.
- The DSL will carry out and record a risk and needs assessment, considering all involved/impacted. The needs and wishes of the victim should be paramount and the DSL will consider these alongside the victim's age and their developmental stage, the nature of the allegations, and the potential risk of further abuse.
- Where a report is made to the police/NYPD, the DSL will agree with the police/NYPD what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. They will also discuss the best way to protect the victim and their anonymity.

We will minimise the risk of peer on peer abuse by:

- Responding to all reports and concerns, including those outside the school and/or online and treating all cases equally seriously regardless of who is involved or where the abuse allegedly took place.
- Taking all cases seriously and making it known that any form of peer on peer abuse is unacceptable
- Challenging any form of derogatory or sexualised language or behaviour
- Being alert to the fact that some groups (such as girls, children with SEND and LGBT children) are at greater risk of sexual violence and harassment
- Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent
- Ensuring pupils know they can talk to staff by informing them in whole school assembly and talks with Head of School and class teachers.

8. CONFLICTS OF INTEREST

All adults who work within an educational context have a duty to report promptly any concerns or information about possible child abuse, whether those responsible are thought to be other children, adults, or colleagues. Our commitment to the paramount importance of the welfare of the child means that in both principle and practice it takes precedence over any other concern, relationship or reputation. Pupils cannot be

expected to raise concerns if they are aware of staff failing to do so. Those who do not report information quickly could put children at risk and bring the school into disrepute, and may face disciplinary action.

9. REPORTING TO THE DEPARTMENT OF HEALTH

Teachers of children between the ages of three and five are trained to recognize signs or symptoms of illness. All staff in the early childhood program conduct daily health inspections of each child in their care and are expected to immediately report concerns about communicable diseases and other health issues to the DSL.

In addition to any other action to be taken in accordance with this policy, The DSL has special reporting requirements with respect to children between the ages of Three and Five. The DSL shall report to the New York City Department of Health and Mental Hygiene, by telephone, within twenty-four hours, any of the following occurrences affecting our youngest children:

- The diagnoses in a child of any vaccine-preventable illness, or meningitis or tuberculosis, or if there is any outbreak or unusual occurrence of any disease or condition at the school.
- Diagnoses in either children or employees of any of a number of serious conditions of interest to public health authorities, including exposure to rabies, certain I infections and various communicable diseases, as set forth more fully in Article 11 of the New York City Health Code and the School's Written Safety Plan. Notice of this reporting requirement and procedures for reporting is attached. See <https://www1.nyc.gov/assets/doh/downloads/pdf/about/healthcode/health-code-article11.pdf>
- The death or serious injury to a child while in the care of the School
- The emergency administration of an epinephrine auto-injector to a child experiencing the signs and symptoms of a severe allergic reaction
- When a child in the early childhood program is unexpectedly absent for three consecutive days without a call from parent or guardian, the DSL will telephone the parent to determine the cause of the absence and shall maintain a record of the telephone call and the information maintained and will report to the Department of Health as necessary in accordance with these guidelines.

Reports to the Department of Health by telephone can be made to the following numbers: 1-866-NYC-DOH1 or 646-632-6100

PART C – THE MANAGEMENT OF SAFEGUARDING

10. THE ROLE AND RESPONSIBILITIES OF THE DESIGNATED SAFEGUARDING LEAD (DSL)

The DSL takes lead responsibility for safeguarding and child protection (including online safety; see the school's online safety policy for more details). It is apparent from the procedures outlined throughout this policy that great reliance is placed upon all staff sharing information and referring their concerns to the DSL. This, in turn, puts great reliance on the DSL to carry out their role thoroughly and diligently.

As a member of the Senior Leadership Team, the DSL must ensure they have appropriate status, authority, time, funding, training, resources and support to fulfil their responsibilities. There must always be cover for the DSL role, in the form of a deputy DSL, who must be trained to the same level as the DSL. Though *activities* may be delegated to the Deputy DSL, the ultimate responsibility remains with the DSL.

The DSL and Deputy's role and responsibilities must be explicitly recorded in their job descriptions.

The duties and objectives of the DSL include:

- providing advice and support to staff on child welfare and child protection matters
- taking lead responsibility for online safety, including supporting pupils with SEND to stay safe online
- gathering and collating information on alleged safeguarding incidents, seeking clarification from alleged perpetrators or victims
- managing the reporting processes described in this policy
- keeping parents informed (wherever possible) and sharing with them any reports concerning their child
- keeping the Governor/Head of School informed of all significant safeguarding matters
- at the time of admission of a child to the program, obtaining written consent from parents authorizing the program to obtain emergency medical care for the child
- undergoing their own training updates (see more below)
- raising awareness of safeguarding matters generally (see more below)
- in conjunction with the governors, ensure the safeguarding policy is reviewed annually for effectiveness and for compliance with latest legislation, or updated sooner where necessary

Managing Referrals

In particular, the DSL is expected to:

- Be aware of all obligations to safeguard the Health of children between the ages of three and five, as set forth in Article 43.19 of the NY City Health Code,

including the obligation to maintain on site at the School at least two epinephrine auto-injectors with dosages appropriate for preschool children and to train at least two staff members in emergency administration and follow-through.

- Be aware of the obligation to designate at least one staff person to be responsible for the storage, maintenance, control, disposal and general oversight of the epinephrine auto-injector to ensure that such device remains available for use, and that the storage location is in compliance with the manufacturer's requirements.
- Immediately following any emergency administration of an epinephrine auto-injector, contact 911 for emergency medical care and notify the child's parent or guardian.
- Be aware of the obligations of Mandated Reporters and review training and reporting responsibilities with them regularly
- Assure that reports are made, that follow-through procedures are followed, and documentation is maintained and properly filed, when notice to the following public agencies is required:
 - Statewide Central Register when there is reason to suspect child abuse or maltreatment in the home or a preschool classroom
 - Disclosure and Barring Service and, for teachers who have or are seeking New York State teaching certificates, the New York State Education Department, when a teacher is dismissed or leaves due to risk/harm to a child or has been engaged in conduct which creates questions about moral character
 - Police (cases where a crime may have been committed)
 - Committees on Special Education where educational disabilities are suspected
 - The Department of Health in the event of serious injury or contagious illness among children or in the event of emergency administration of epinephrine in the case of severe allergic reaction
- If the reports listed above are made by other staff, the DSL should support those staff in the process
- Keep detailed, accurate, secure written records of concerns, reports and referrals
- Liaise with the Head to inform them of issues especially ongoing enquiries and police investigations
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and assisting when an incident is subject to mandatory reporting.

Raising Awareness

The DSL should ensure that safeguarding policy and procedures are known and used appropriately:

- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this.
- Ensure that all staff, including Head of School complete a Mandated Reporter class provided online by Human Services Learning Center.
- Liaise with the ACS to ensure awareness of local multi-agency procedures, local referral procedures and training opportunities, and maintain a list of local multi-agency contacts.
- Designate a sufficient number of staff to be trained to administer an epinephrine auto-injector to a child and assure that at least one staff person trained to administer such auto-injector is on site in the pre-kindergarten program at all times that children are present.
- Ensure that all staff complete Infectious Disease Training.

11. TRAINING FOR THE DSL

The DSL and deputy DSL should receive appropriate training and updates in order to:

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments.
- Have a working knowledge of how local authorities conduct a child protection review and be able to contribute to these effectively when required to do so.
- Ensure each member of staff has access to and understands the safeguarding policy and procedures, especially new and part-time staff.
- Be alert to the specific needs of children in need, those with special educational needs and young carers.
- Be able to keep detailed, accurate, secure written records of concerns and referrals.
- Obtain access to resources and attend any relevant or refresher training courses.

- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures which may be put in place to protect them.

Formal training should be at an advanced level as appropriate to the role and updated every two years. The DSL and Deputy should also access continuing professional development updates (e.g. via e-bulletins, meetings, workshops, reading) at regular intervals (minimum annually) to keep up with developments relevant to their role.

12. TRAINING FOR STAFF

All staff are provided with our safeguarding policy and KCSIE (Part 1, and Annexe A where they work directly with children) as part of their induction program. They are required to affirm **annually** that they have read and understood these documents. Induction training also covers the identity and function of the DSL and Deputy, the behavior policy, online safety, the staff code of conduct, the safeguarding response to children missing in education and whistle-blowing procedures.

Child protection and online safety training updates (e.g. via email, staff meetings and e-bulletins) are provided regularly (minimum annually) in line with KCSIE and advice from the Statewide Central Register and ACS in New York. Formal training is completed every year at WPNY.

Training is relevant to staff roles and responsibilities, it includes:

- recognition and reporting of concerns immediately as they arise
- what to do if a child tells staff they are being abused or neglected, including appropriate levels of confidentiality, liaising with professionals (including the DSL and Deputy DSL), and never promising to a child that they will not tell anyone about an allegation
- identification of indicators of abuse and when it is appropriate to make a referral
- awareness of the process for making referrals to children's social care, and for subsequent statutory assessments, along with the role staff might be expected to play in such assessments
- a working knowledge of how the Statewide Central Register and ACS operates, the conduct of a child protection case conference and how to contribute to these effectively when required
- e-safety training
- 'Prevent' training

- Identifying and managing incidents of peer on peer abuse including violence and sexual harrassment

The school will make an assessment of the appropriate level and focus for staff training and will be responsive to specific safeguarding concerns such as radicalisation, child sexual exploitation, female genital mutilation, cyberbullying and mental health. It will also ensure that staff have the skills, knowledge and understanding to keep looked after and previously looked after children safe. Staff at WPNY complete the NSCPCC Level 1 Training, Prevent Training and the NYS Required Mandated online Reporter training and NYS Infection Control Training.

13. TEACHING PUPILS ABOUT SAFEGUARDING

The School follows the UK Safer Internet Day every February and holds workshops to create a healthy view on online safety. The school adheres to the five Google Be Internet Legends codes of Practice across the school and pupils, staff and parents are aware of this as school policy. Code of practice is emphasised in school assemblies, workshops and IT and PSHEE curriculum. Our school also follows best practice guidance set out in the UK Department for Education's 'teaching online safety in schools.'

14. GOVERNANCE

Details of the Alpha Plus Group governors can be found on the Alpha Plus Group website (alphaplusgroup.co.uk) or by clicking [here](#).

The principles and processes of Alpha Plus Group governance can be found by clicking [here](#).

The Lead Safeguarding Governor receives advanced safeguarding training, which is regularly updated. Governors receive regular updates as required and through a monthly report on safeguarding.

Safeguarding is monitored through an annual cycle of governance visits and each year and the Lead Governor holds an annual in-depth review with the DSL, looking at:

- Training
- Child protection issues and concerns raised in the last academic year
- Incidents of bullying
- ICT safety incidents
- Feedback from pupil forums or survey on matters relating to well-being and safeguarding
- The effectiveness of inter-agency working
- Lessons learned

APPENDIX 1

KEEPING CHILDREN SAFE IN EDUCATION 2021

As a British School in America, WPNY acknowledges both US-specific guidance and legislation, and the contents of UK safeguarding guidance including 'Keeping Children Safe in Education' 2021 (KCSIE). Staff should be familiar with the contents of Part 1 and Annex B of KCSIE.

KCSIE provides guidance on a wide range of specific safeguarding issues including:

- **Female Genital Mutilation (FGM):** FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and the US. It is a form of child abuse with long-lasting harmful consequences. Staff must inform the DSL if they suspect a child has been or may become a victim of FGM.
- **Radicalisation:** Radicalisation refers to the process by which a person comes to support terrorism or extremist ideologies associated with terrorist groups. The school acknowledges the UK's Prevent Strategy and aims to ensure that vulnerable children of any faith, ethnicity or background receive support before their vulnerabilities are exploited. Without undermining values such as freedom of speech, mutual respect and tolerance, all staff must respond to the ideological challenge of extremist views. The school protects against radicalisation through risk assessments, awareness raising amongst staff, protection from extremist materials when accessing the internet, and by building resilience to radicalisation through the curriculum. If staff have any concerns, they should speak to the DSL who will refer to the local Statewide Central Register and ACS or NYPD if deemed necessary.
- **Child Sexual Exploitation (CSE) and Child criminal exploitation (CCE):** Both CSE and CCE are forms of abuse where an individual or group (adult or another child) takes advantage of an imbalance of power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity: in exchange for something the victim needs or wants e.g. money, gifts or affection; and / or for the financial advantage or increased status of the perpetrator or facilitator; and/ or through violence or threat of violence to victims (and their families). Staff must inform the DSL if they suspect a child has been or may become a victim of CSE/CCE.
- **Domestic abuse:** All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs

between family members. The definition of domestic violence and abuse is any incident or pattern of incidents involving controlling, coercive, threatening behaviour, violence or abuse between those ages 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial and emotional. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and physiological impact on children. The NYC Domestic Abuse Helpline can be called free of charge and in confidence, 24 hours a day on 1-800-621-HOPE.

APPENDIX 2

RISK INDICATORS OF ABUSE

Physical Abuse

- Serious physical injury or substantial risk of serious physical injury
- Injuries, bruises, burns, bite marks which are unexplained or implausibly explained
- Injuries to the eyes or both sides of the head or body (accidental injuries typically only affect one side of the body)
- Frequently appearing injuries, especially if the child is unable to provide an adequate explanation of the cause. Such injuries may appear in distinctive patterns, such as grab marks, human bite marks, cigarette burns or impressions of other instruments
- Fear, watchfulness, over-anxiety to please
- Reluctance to get changed for sports etc.
- Destructive, aggressive or disruptive behavior
- Passive, withdrawn or emotionless behavior
- Fear of going home or fear of parent or caretaker

Sexual abuse

- Injury to genital area
- Sexual knowledge, comments, behaviour inconsistent with a child of that age
- Unexpected reaction of fear or wariness to people
- Repeated urinary or genital infections
- Pregnancy/sexually transmitted diseases
- Difficulty or pain when sitting or walking
- Sexual victimization of other children
- Expressing age-inappropriate knowledge of sexual relations

Emotional abuse

- Withdrawn, anxious behaviour, lack of self-confidence. Mood swings.
- Challenging/disruptive/aggressive behaviour which is inconsistent with previous behaviour
- Self-harm and eating disorders
- Demanding or attention-seeking behaviour
- Unwillingness to communicate. Secretive and reluctant to share information
- Repetitive, nervous behaviour such as rocking, hair twisting or pulling

General indicators of maltreatment / neglect

- Apparent malnourishment, listlessness or fatigue
- Stealing or begging for food
- Lack of personal care – poor hygiene, torn and/or dirty clothes
- Untreated need for glasses, dental care or other medical attention, when such care needs have been pointed out to parent on more than one occasion
- Child left unattended and without supervision, after need for such supervision has been explained
- The child is left alone with unsuitable carers
- Frequent absence from school or tardiness
- Deterioration in educational progress
- Parents show little interest in child's performance or behaviour and are non-responsive or dismissive to professional concerns.
- No one seeks medical help when the child is ill or hurt
- The child talks of running away
- Evidence of alcohol or other substance abuse

Mental Health

Staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Staff should not attempt to make a diagnosis as this can only be by a trained professional. Staff who have observed the child and have concerns that their behaviour may suggest they may be experiencing mental health should follow the child protection policy and speak to the DSL or deputy DSL.

Please note: this is not a comprehensive list. Staff should consult with the DSL or Deputy DSL if in doubt about any symptoms that might be indicative of abuse or maltreatment.

APPENDIX 3

CONCERNS AND ALLEGATIONS ABOUT STAFF

The School's procedures

The School promotes an open and transparent culture in which all concerns about all members of staff working in or behalf of the School, in a paid or unpaid capacity, including supply staff, volunteers and contractors are dealt with promptly and appropriately, whether they are low level concerns or constitute an allegation that the person poses a risk of harm. By doing this, it aims to identify any concerning, problematic or inappropriate behaviour early, in order to minimise the risk of abuse, support everyone affected and to inform members of staff, supply staff, volunteers and contractors of any behaviour which is or could be deemed inappropriate or to cross acceptable professional boundaries and help them to reflect, manage and learn from this.

The School has procedures for dealing with two levels of allegations made / concerns raised about staff, supply staff, volunteers and contractors. These cover:

1. allegations / concerns that do not meet the harms threshold, otherwise known as 'low level concerns'.
2. allegations that may meet the harms threshold;

Low level concerns

The School encourages everyone affected by its operation to report any concern so that the appropriate action can be taken. This applies even if the concern is no more than one which causes a sense of unease or a "nagging doubt" about a member of staff, supply staff, volunteer or contractor working in or on behalf of the School may have acted in a way that is inconsistent with expected professional standards and / or the staff code of conduct to the Head, so that the appropriate action can be taken.

All members of staff, supply staff, volunteers and contractors are themselves encouraged to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and / or on reflection they believe they have behaved in such a way that they consider may fall below the expected standards.

The Head will usually share the concern with the DSL (or deputy) and they will address the concern in a proportionate manner. They will consider whether the matter is a low level concern - one which does not meet the allegations threshold (as set out in this section) or is otherwise not considered serious enough to consider a referral to the Designated Officer(s), or whether it is sufficiently serious to meet the harms threshold.

The School considers that all concerns about members of staff, supply staff, volunteers and contractors should be shared responsibly with the right person, that they should be

recorded and that they should be dealt with appropriately. In most cases that will involve some form of investigation and a discussion with the person raising the concern and the person about whom the concerns have been raised. The information collected will help to categorise the type of behaviour and determine what further action may need to be taken. This should be recorded along with the context, the rationale for the decisions made and action taken. This information should be kept confidential and stored securely. The name of individuals sharing concerns should also be noted, but a wish to remain anonymous should be respected as far as reasonably possible.

The Head will consider whether reports about supply staff and contractors should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Low level concerns should not be included in staff, supply staff, volunteer and contractor references unless they relate to issues which would normally be included e.g. misconduct or poor performance. Those that relate exclusively to safeguarding should not be referred unless they meet the threshold for referral to the Statewide Central Register and are found to be substantiated.

Allegations that may meet the harms threshold

Allegations that may meet the harms threshold are those that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in the school, for example where the member of staff, supply staff, volunteer or contractor has:

- behaved in a way that has harmed a child, or may have harmed a child; and / or
- possibly committed a criminal offence against or related to a child⁴; and / or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children; and / or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes behaviour that may have happened outside school and creates a transferable risk.

The School should consider whether any allegations not meeting these criteria should be dealt with as low level concerns - see paragraph 10 below. Advice from the Statewide Central Register will be sought in borderline cases.

All such allegations must be dealt with as a priority without delay.

⁴ In any case in which a staff member in the Three to Five Nursery, Pre-Kindergarten or Kindergarten program is observed inflicting physical harm, including excessive restraint, the Head of School will file a report with the Statewide Central Register.

The Statewide Central Register will be informed immediately and in any event within one working day of all allegations that come to the School's attention and appear to meet the criteria for the harms threshold, as set out above above.

Allegations against a teacher who is no longer teaching and historical allegations will be referred to the police and may also be discussed with the Designated Officer.

Reporting an allegation

Where an allegation or complaint is made against any member of staff (other than the Head), including the DSL, the matter should be reported immediately to the Head. The allegation will be discussed immediately with the Designated Officer(s) before further action is taken. Where appropriate, the Head will consult with the DSL.

Where an allegation or complaint is made against the Head, the matter should be reported immediately to the Nominated Safeguarding Governor, without first notifying the Head. The allegation will be discussed immediately with the Statewide Central Register before further action is taken.

Where an allegation is made against any Governor, the matter should be reported immediately to the Chair of Governors or the Nominated Safeguarding Governor. If either the Chair of Governors or the Nominated Safeguarding Governor are the subject of an allegation, the matter should be reported to the other. The allegation will be discussed immediately with the Statewide Central Register before further action is taken. Where appropriate, the Chair of Governors will consult the Nominated Safeguarding Governor, and vice versa.

If it is not possible to report to the Head or Nominated Safeguarding Governor in the circumstances set out above, a report should be made immediately to the DSL. The DSL will take action in accordance with these procedures and will as soon as possible inform the Head or, where appropriate, the Nominated Safeguarding Governor.

The person taking action in accordance with the procedures in this Appendix is known as the Case Manager.

Disclosure of information

The Case Manager will inform the accused person of the allegation as soon as possible after the Statewide Central Register has been consulted.

The parents or carers of the child / children involved will be informed of the allegation as soon as possible if they do not already know of it. They may also be kept informed of the progress of the case, only in relation to their child - no information can be shared regarding the staff member. The timing and extent of disclosures, and the terms on which they are made, will be dependent upon and subject to the laws on confidence and data protection and the advice of external agencies.

Where the Statewide Central Register advises that a strategy discussion is needed, or the police or children's social care need to be involved, the Case Manager will not inform the accused or the parents or carers until these agencies have been consulted and it has been agreed what information can be disclosed.

The reporting restrictions preventing the identification of a teacher who is the subject of such an allegation in certain circumstances will be observed.

Further action to be taken by the School

The School will ensure effective support and protection is in place for any children possibly affected by the allegation, as per this policy.

The School also has a duty of care towards its employees and as such, it must ensure that effective support is provided for anyone facing an allegation. The School will take action in accordance with Part 4 of KCSIE and the School's employment procedures.

The case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or college, or until the allegation is resolved. It should be considered only in cases where there is cause to suspect a child or other children at the school or college is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. If in doubt, the case manager should seek views from the Statewide Central Register, as well as the police and children's social care where they have been involved.

Where the School is not an employer of an individual about whom safeguarding concerns are raised with the School, it will still have responsibility to ensure allegations are dealt with appropriately and will liaise with relevant parties. This includes supply staff, volunteers and contractors. Any action taken will be in accordance with Part 4 of KCSIE. As stated above, reports about supply staff and contractors which do not meet the referral threshold, should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Ceasing to use staff

If the School ceases to use the services of a member of staff because they are unsuitable to work with children, a settlement agreement will not be used and a referral to the New York State Education Department, the Disclosure and Barring Service (DBS) and the Teacher Regulation Agency, will be considered as relevant and in consultation with the Statewide Central Register. Any such incidents will be followed by a review of the safeguarding procedures within the School, with a report being presented to the Nominated Safeguarding Governor without delay.

If a member of staff tenders his or her resignation, or ceases to provide his or her services at a time when child protection concerns exist in relation to that person, those concerns will still be followed up by the School in accordance with this policy.

Malicious allegations

Where an allegation by a pupil is shown to have been deliberately invented or malicious, the Head will consider whether to take disciplinary action in accordance with the School's behaviour and discipline policy.

Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to withdraw their child or children from the School on the basis that they have treated the School or a member of staff unreasonably.

Whether or not the person making the allegation is a pupil or a parent (or other member of the public), the School reserves the right to contact the police to determine whether any action might be appropriate.

Record keeping

Details of allegations found to be malicious will be removed from personnel records.

For all other allegations, full details will be recorded on the confidential personnel file of the person accused.

An allegation proven to be false, unsubstantiated or malicious will not be referred to in employer references. In accordance with KCSIE, a history of repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious will also not be included in any reference. Substantiated allegations should be included in references provided that the information is factual and does not include opinions.

The School will retain all safeguarding records and relevant personnel records for so long as reasonably required.