


Child Protection and Safeguarding Policy

Ellesmere Port Catholic High School



Approved by:	Mr J Coucill, Chair of Governors 
Lead of Review:	Mrs J Jones, Associate Deputy Headteacher
Last reviewed on:	October 2020
Next review due by:	September 2021

Status

Statutory

Mission statement:

"I have come so that they may have life and have it to the full." John 10:10

There are three main elements to our child protection policy and safeguarding procedure:

- Prevention
- Protection
- Support

This policy applies to all teaching and support staff at Ellesmere Port Catholic High School.

School Commitment

"We recognise that for children high self-esteem, confidence, supportive friends and clear lines of communication with a trusted adult helps prevention."

Our School will therefore:

- a) Establish and maintain an ethos where children feel secure and are encouraged to talk and are listened to.
- b) Through assemblies and regular discussion ensure that children know that there are adults in the school who they can approach if they are worried or in difficulty.
- c) Include in the curriculum, activities and opportunities for LifeSkills which equip children with skills they need to stay safe from abuse.
- d) Include in the curriculum material which will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills. Much of this material will be delivered through the personal development strand including RSE & SMSC, Citizenship and Wellbeing, but will also be dealt with as it arises, through other subject areas.

1. Introduction

The Department for Education has published an updated version of the statutory guidance Keeping Children Safe in Education (2019), which revises and replaces the 2018 guidance. This came into force for schools on **2 September 2019**.

1.1 The recent act, September 2019, states:

"The Governing Body of a maintained school shall make arrangements for ensuring that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of children who are pupils at the School."

1.2 The staff and governors of Ellesmere Port Catholic High School are committed to protecting and safeguarding all their pupils to ensure, as far as possible, that they are free from harm.

- 1.3 The School recognises that children sometimes suffer abuse from those who should be caring for and protecting them. Abuse can take place within any socio-economic group and can occur at home or in institutions such as Schools.
- 1.4 This document sets out the procedures which Ellesmere Port Catholic High School has in place for exercising its duties in relation to safeguarding pupils.

2. Cheshire West and Chester Safeguarding Board

- 2.1 In addition to Cheshire West and Chester's Safeguarding Board, Ellesmere Port Catholic High School's procedures will have particular regard to the Department of Health, Home Office and department for Education and Skills joint publication "What to do if you're worried a child is being abused".

3. The Child Protection Co-ordinators and Governor

- 3.1 Ellesmere Port Catholic High School has a Designated Safeguarding Lead, a Deputy Safeguarding Lead and a Child Protection Lead who are responsible for co-ordinating child protection issues within the school and for liaising with other services. One member of the Governing Body has responsibility for safeguarding and child protection.

At Ellesmere Port Catholic High School the above roles are undertaken by:

- 3.2 **Mrs J Jones**, Designated Safeguarding Lead (j.jones@epchs.co.uk)
Mrs C Hughes, Deputy Safeguarding Lead (c.hughes@epchs.co.uk)
Mrs L Henderson, Child Protection (L.Henderson@epchs.co.uk)
Mrs A Ryan, named governor

These people's names will be given, when requested, to the Local Education Authority.

- 3.3 The Safeguarding Lead and Child Protection Leads will be released from School to attend specialised child protection training which will be updated at least every two years. The named governors will also receive training.
- 3.4 It is the Safeguarding Lead and Child Protection Leads responsibility to ensure that **all** staff, teaching and support, paid and volunteers, know who is the safeguarding lead and alternative leads are and that they **all** receive, on a regular basis, information which enables them to identify child protection matters and respond appropriately.

3.5 Designated Governor for Safeguarding and Child Protection

The role and responsibilities of Alison Ryan, named governor, responsible for Safeguarding and Child Protection are agreed to cover:

- Ensuring, in liaison with the Headteacher/designated teacher that the school has a Child Protection Policy and Procedures in place;
- Ensuring that an annual item is placed on the Governors' agenda to report on changes to Child Protection Policy/Procedures, training undertaken by the designated senior teacher and other staff, the number of incidents/cases [without details or names] and the place of Child Protection issues in the school curriculum;
- Liaison [with due regard for issues of confidentiality] with the Headteacher/senior designated teacher regarding allegations of child abuse;

- In consultation with the Chair of Governors responsibility for the oversight of procedures relating to liaison with the Education Department, Social Services Department and the Police in relation to any allegations of child abuse made against the Headteacher, including attendance at strategy meetings.
- Carry out checks on the school's Safer Recruitment procedures including regular checks of the school's Single Central Record.

4. Responsibilities

"Schools and colleges and their staff form part of the wider safeguarding system for children. This system is described in statutory guidance Working together to safeguard children".

"Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child".

The school will identify harm and maintain safety by:

- Everybody having a duty to safeguard children inside and outside the school environment including school trips, extended schools, activities and vocational placements;
- Involving parents and providing advice/guidance regarding safeguarding;
- Maintaining a child focus and listening to children;
- Recognising signs of concern, especially with children who may be vulnerable;
- Documenting and collating information on individual children to support early identification, referral and actions to safeguard;
- Taking appropriate actions to address concerns about a child's welfare in partnership with other organisations and safeguarding agencies;
- Informing all staff and volunteers who the Designated Safeguarding and Deputy persons for Safeguarding are in school.
- Providing PSICHE including raising awareness with children in what are and are not acceptable behaviours.
- Raising awareness and educating children about online safety.
- Ensuring that all staff read, understand and follow the schools Safeguarding policies and procedures, the DFE's 'Keeping Children Safe in Education' documents, Code of Conduct and Whistleblowing policy.

PSICHE input will provide opportunities for children and young people to learn how to keep themselves safe, for example, by:

- The availability of advice and support in their local area and online;
- Recognising and managing risks in different situations, including on the internet;
- Judging what kind of physical contact is acceptable and unacceptable;
- Recognising when pressure from others, including people they know, threatens their personal safety and well-being
- Developing effective ways of resisting pressure;
- Developing healthy relationships, including awareness of unhealthy relationships where domestic violence, bullying and abuse occur;

Our school will ensure that pupils are made aware that information can be found at the following:
SHARP system.

Our school's arrangements for consulting with and listening to pupils are through the Heads of Year, school council, and peer support.

We make pupils aware of these arrangements during form time, assemblies and themed weeks.

5. Recognising Possible Abuse

"This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment".

"If early help is appropriate the designated safeguarding lead should support the staff member in liaising with other agencies and setting up an inter-agency assessment as appropriate".

- 5.1 Children can be harmed in a number of ways. Abuse can be physical, sexual and emotional or it can take the form of neglect. Children sometimes suffer more than one type of abuse at a time.
- 5.2 Ellesmere Port Catholic High School will ensure that designated teachers are trained every two years and the rest of the staff members receive regular updates and training to recognise signs of possible abuse or neglect and they will know what to do if they suspect a child is suffering harm. This includes signs of exploitation through forced marriages, honour based violence and FGM. It is a mandatory requirement to report to the police any suspected cases of FGM which have been carried out to a girl under the age of 18.
- 5.3 Ellesmere Port Catholic High School will ensure that all staff are trained to recognise the signs of exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism in line with the Government's Prevent strategy.
- 5.4 The School will strive to create an atmosphere in which children feel able and safe to talk about their worries and fears. Staff will listen carefully to anything children want to tell them. They will:
 - **not** ask leading questions
 - **not** promise to keep the matter secret
 - **not** attempt to investigate a situation themselves

Staff might also have concerns about a child's safety because of the way he or she is behaving.

- 5.5 Whether suspicions arise through disclosures children make or as a result of observations, the member of staff concerned must log what was said or seen on CPOMS.
- 5.6 Refer the matter immediately to the Safeguarding Lead, Deputy Safeguarding Lead or Child Protection Leads.

Staff will be aware of the possibility that their records might have to be used as evidence in court and must, therefore, be aware of the need to distinguish fact from opinion.

Safeguarding pupils/students who are victims of Peer on Peer abuse

There is no clear definition of what peer on peer abuse entails. However it can be captured in a range of different definitions:

- **Domestic Abuse:** relates to young people aged 16 and 17 who experience physical, emotional, sexual and / or financial abuse, and coercive control in their intimate relationships;
- **Child Sexual Exploitation:** captures young people aged under-18 who are sexually abused in the context of exploitative relationships, contexts and situations by a person of any age - including another young person;
- **Harmful Sexual Behaviour:** refers to any young person, under the age of 18, who demonstrates behaviour outside of their normative parameters of development (this includes, but is not exclusive to abusive behaviours);
- **Serious Youth Crime / Violence:** reference to offences (as opposed to relationships / contexts) and captures all those of the most serious in nature including murder, rape and GBH between young people under-18.

Peer on peer abuse can refer to any of the above individually or as a combination, therefore professionals working with children and young people who are experiencing abuse from their peers must respond to the needs of each of the definitions to uncover the level of complexity and respond in the most effective manner. It is possible that a young person may be sexually exploited in a gang related situation by their boyfriend or girlfriend.

Key Areas Where Peer on Peer Abuse Occurs

Bullying (including Cyberbullying)

Bullying is defined as “behaviour by an individual or group, usually repeated over time, which intentionally hurts another individual or group either physically or emotionally”. Bullying often starts with trivial events and it is behaviour that hurts someone else - such as name calling, hitting, pushing, spreading hurtful and untruthful rumours, threatening or undermining someone; mocking; making offensive comments; taking belongings; inappropriate touching; producing offensive graffiti; or always leaving someone out of groups. It can happen anywhere - at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally. A child that is being bullied can feel like there's no escape because it can happen wherever they are, at any time of day or night.

There are many different forms of bullying:

- **'Cyberbullying':** involves sending inappropriate or hurtful text messages, emails or instant messages, posting malicious material online (e.g. on social networking websites) or sending or posting offensive or degrading images and videos;
- **Racist and Religious Bullying:** A range of hurtful behaviour, both physical and psychological, that makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their colour, ethnicity, culture, faith community, national origin or national status;
- **Sexual, Sexist and Transphobic Bullying:** includes any behaviour, whether physical or nonphysical, where sexuality is used as a weapon by boys or girls;
- **Homophobic Bullying:** targets someone because of their sexual orientation (or perceived sexual orientation);

- **Disablist Bullying:** targets a young person solely based on their disability, this can include manipulative bullying where a perpetrator forces the victim to act in a certain way, or exploiting a certain aspect of the victims disability.

It is important to remember that bullying can also be a combination of the above. There has been much media attention surrounding children and young people who have committed suicide due to being bullied. Professionals must understand the damaging and at times fatal effects bullying can and does have on children and young people and be able to respond to it effectively.

Child Sexual Exploitation (CSE)

Many of the warning signs and indicators of CSE tend to refer to adult perpetrators, e.g. associations with older boyfriends / girlfriends, relationships or associations with risky adults and / or entering or leaving vehicles driven by unknown adults. As per the revised definition of CSE it “occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity”. The key element of CSE is the imbalance of power and control within the exploitative relationship. Many children and young people are not aware of the exploitation as they have a genuine belief that they are loved by their boyfriend / girlfriend or are acting in accordance with their peers. Children and young people are often recruited into exploitation by those who they trust, those of a similar age and with similar hobbies, often the nature of peer on peer exploitation encompasses a sense of peer pressure and wanting to fit in. In peer on peer exploitation, schools and youth clubs are also locations where children and young people can be exploited.

Harmful Sexual Behaviour Including Sexting

Sexually harmful behaviour from young people does not always occur with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as well as the young person it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault / abuse. This also includes sexting when someone sends or receives a sexually explicit text, image or video. This includes sending ‘nude pics’, ‘rude pics’ or ‘nude selfies’. Pressuring someone into sending a nude picture may occur in any relationship and to anyone, whatever their age, gender or sexual preference. However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, young people are not even aware that they could be committing a criminal offence.

Gang Activity and Youth Violence

A child or young person can be exploited (sexually and / or physically) by a gang, but this is not necessarily the reason why gangs are formed. The Office of the Children’s Commissioner has defined Child Exploitation in gangs and groups as:

- **Gangs** - mainly comprising men and boys aged 13-25 years old, who take part in many forms of criminal activity (e.g. knife crime or robbery) who can engage in violence against other gangs, and who have identifiable markers, for example a territory, a name, or sometimes clothing.

- **Groups** - involves people who come together in person or online for the purpose of setting up, co-ordinating and / or taking part in the sexual exploitation of children in either an organised or opportunistic way. Types of exploitation may include using sex as a weapon between rival gangs, as a form of punishment to fellow gang members and / or a means of gaining status within the hierarchy of the gang. Children and young people may be forced to gain entry into the gang by carrying out an initiation process which may be harmful to them and / or may inflict harm to others. Where abuse takes place in a gang environment, female members may perceive the abuse as normal, as well as accepting it as a way of achieving a respected status / title within the gang.

Domestic Violence

Teenage relationship abuse is defined as a pattern of actual or threatened acts of physical, sexual, and / or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and / or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

Our school recognises that abuse is abuse and it will never be tolerated or passed off as ‘banter’, “just having a laugh”, or “part of growing up”. We also recognise that peer on peer abuse, although more likely to be reported by girls as victims and boys as perpetrators, can be experienced by all genders or identities. All reports of abuse will be taken seriously.

Sexting

Someone taking an indecent image of themselves and sending to their friends or boy/ girlfriend via a mobile phone or some other form of technology is sometimes referred to as ‘Sexting’. Young people need to be aware that they could potentially be distributing illegal child images. Staff at Ellesmere Port Catholic High School will ensure that students are aware of the risks associated with the use of the internet and how to respond appropriately to a ‘Sexting’ incident. We know this can cause enormous distress to children and young people and may place them at risk of sexual grooming and other risks associated with the internet.

Linked Policies: Online Safety

Sexual Violence and Sexual Harassment

Sexual violence or sexual harassment can occur between 2 children of any sex. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. The guidance defines the following terms: **Sexual Violence, Sexual Harassment and Harmful sexual behaviours**.

Sexual violence includes: rape, assault by penetration and sexual assault – intentionally touching another person in a way that is sexual.

Sexual harassment is defined in the guidance as ‘unwanted conduct of a sexual nature’ that can occur online and offline. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

While not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual “jokes” or taunting;
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature, and:
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - Non-consensual sharing of sexual images and videos;
 - Sexualised online bullying
 - Unwanted sexual comments and messages, including, on social media;
 - Sexual exploitation; coercion and threats; and;
 - Upskirting*

* Upskirting typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. **It is now a criminal offence.**

6. Dealing with Disclosures and Making Referrals

- 6.1 The procedures for how staff should deal with any disclosures or concerns is detailed in the Staff Handbook – Appendix A Child Protection Procedure.
- 6.2 If a child is in immediate danger or is at risk of harm a referral should be made to children’s social care and/or the police **immediately**. Usually this would be done by the designated staff for Safeguarding and Child Protection but anyone can make a referral. Where referrals are not made by the Safeguarding Lead, the Safeguarding Lead should be informed, as soon as possible, that a referral has been made. Social Services will advise when or if the parents are to be informed.
- 6.3 Referrals of suspected abuse or neglect would be made by telephone to IART on 01606 1237047. This telephone call will be recorded, noting the name of the person spoken to and will be followed up by a professional referral form being sent.

7. Attendance at and Reports to Child Protection Conferences

- 7.1 If Social Services decide, having received a referral from the school that a child might be at risk of harm a child protection conference may be called.
- 7.2 An appropriate School representative will be asked to attend this conference. Where a conference is held during a school holiday, the school will do its best to send a senior member of staff.
- 7.3 The school will provide the person chairing the conference with a report on the child at least **48 hours** in advance. The author of the report will be aware that the child’s parents will have access to it.

- 7.4 If a child's name is placed on the Child Protection Register following a decision made at a child protection conference, a 'core group' consisting of those with the most knowledge of and involvement with that child will be identified. The Designated Safeguarding Lead, Child Protection Lead or other relevant member of staff will attend.

Linked Policies: Attendance

8. Confidentiality

- 8.1 Information on child protection cases will only be shared within the school with those who need it in order to ensure the safety of the children concerned.
- 8.2 All school records of child protection concerns and referrals are kept in a locked cabinet in the pastoral office separately from the main pupil files. Only the Designated Safeguarding Lead and Child Protection Leads have a key to this cabinet.
- 8.3 Only **one** child protection file will be kept on a child and will contain on the inside front cover, a maintained chronology of events. No other information of a child protection matter will be kept anywhere else in the School.
- 8.4 Well-kept records are essential. All staff must ensure they record information as soon after an event as possible.

9. Transfer of Records

- 9.1 When a child whose name is on the Child Protection Register leaves Ellesmere Port Catholic High School the Designated Safeguarding Lead will inform the relevant social worker and sends the child protection records to the receiving school **immediately**. If the name of the receiving school is not known, the Designated Safeguarding Lead will notify the child's social worker as a matter of urgency as soon as the child leaves or appears to be missing. In these circumstances, the child protection records will remain at Ellesmere Port Catholic High School until the child is known to have registered elsewhere.
- 9.2 When a child joins Ellesmere Port Catholic High School and records from the previous school indicate his/her name is on the Child Protection Register, the Designated Safeguarding Lead or Child Protection Lead will notify Social Services **immediately**.
- 9.3 When a child whose name is known to be on the Child Protection Register joins Ellesmere Port Catholic High School and no child protection records have been received from the previous school, the Designated Safeguarding Lead or Child Protection Lead will contact the Co-ordinator at that school to request the records be sent **immediately**. This request will be confirmed in writing and repeated if necessary. If they remain unavailable, the School will inform the Education Welfare Service.

10. Safer Staff Recruitment

- 10.1 Before confirmation of appointment, all staff (teaching and support) and volunteers in regulated activity who apply to work at Ellesmere Port Catholic High School will be subject to a rigorous recruitment process to ensure their suitability to work with children. References will be taken up and they will be required to give evidence of their qualifications and details of previous experience and work history. A 'Prohibition to Teach' check will be carried out for all teaching staff. The school will ensure that new members of staff are interviewed and appointed by a senior leader and a governor who has attended and qualified in "safer recruitment".

- 10.2 As part of this recruitment process, all potential staff will be required to declare any criminal record. Disclosure and Barring Service (DBS) checks will be undertaken. No-one will be employed if it is considered they are unsuitable to work with children. A Risk Assessment will be completed for volunteers to decide whether a DBS Check will be required.
- 10.3 All staff, including supply teachers and other visiting staff [e.g. school nurses] and those supporting school trips, are informed of the Designated Safeguarding Lead and Child Protection Leads and the School's policy for the protection of children:
- During their first induction to the school
 - Through the provision of a copy of this policy. Provided in hard copy and available on VLE and website.
 - Through the provision of a copy of 'Keeping Children Safe in Education September 2019'. Part 1 hard copy provided to all staff.
 - Through the staff handbook
 - Through the induction/supply teachers' booklet
 - Information on relevant notice boards
 - Whole staff training or briefing meetings
 - Reminders at the beginning of each year and for new staff
 - All staff need to be alert to the signs of harm and abuse. They should report any concerns if not immediately, as soon as possible, that day to the Designated Safeguarding Lead or Child Protection Leads. If in any doubt they should consult with the Designated Safeguarding Lead.
- 10.4 The Cheshire West and Chester Authority Procedures and Handbook are available for staff reference and located in the Pastoral Assistant Headteacher's Office. LA Personnel Procedures are located in the school office.
- 10.5 Where any students are placed in alternative provision, the school will obtain a written statement from the provider confirming that they have completed all the necessary vetting and barring checks on their staff.
- 10.6 All legitimate visitors such as those who attend the school in connection with children and who have a professional role i.e. social workers, educational psychologists, SEND officers, targeted support workers or health related professionals, participating in 'regulated activity' will need to provide the school with their DBS number which can be stored on the school single central register. If a visitor is chaperoned at all times no DBS is required.

11. Allegations Against Staff

- 11.1 Any allegation made against a member of staff or volunteer at School will be taken very seriously and will be referred **immediately** by the Headteacher or /Designated Safeguarding Lead to the Local Authority under Cheshire West and Chester's Procedure in Respect of Allegations of Child Abuse Made Against Staff. The allegation will **not** be investigated in School other than to establish the facts. The Local Authority will liaise with Social Services and the Police to determine if the allegation should be investigated internally or dealt with by Social Services/Police. The Director for Attendance and Child Protection should be informed as soon as possible.
- 11.2 Where an allegation is made against the Headteacher, the Designated Safeguarding Lead will inform the Chair of the Governing Body as well as the Local Authority. As above the Local Authority will liaise with Social Services and the Police. The Director for Attendance and Child Protection should be informed as soon as possible.

- 11.3 The Designated Safeguarding Person is not responsible for dealing with allegations made against members of staff. This is the responsibility of the Head Teacher who will inform the Local Authority Designated Officer (LADO) (Paul Jenkins, Senior Manager Child Protection).

12. Training

- 12.1 At Ellesmere Port Catholic High School we are committed to Child Protection training. The Headteacher, trained Specialist Safeguarding Lead and Child Protection Leads and the nominated Governors for Safeguarding and Child Protection will undertake the relevant training for their role, in accordance to section 175 of the Education Act 2002, they will attend refresher courses every two years.
- 12.2 All other staff will receive relevant training on Child Protection in accordance with section 175 of the Education Act 2002 every three years.
- 12.3 All staff will receive regular Safeguarding updates when required and at least annually to provide them with the relevant skills and knowledge to safeguard children effectively.

13. Conclusion

- 13.1 The aim of these procedures is to ensure that all the children on roll at Ellesmere Port Catholic High School are safe and free from harm. If they are considered to be at risk of or to have suffered abuse or neglect the school will take the steps described to minimise the risk or protect them from further harm.
- 13.2 In order to monitor the effective safeguarding of the pupils of the School, the Governing Body will require the Associate Deputy Headteacher Behaviour and Safety to submit a termly report on child protection issues within the school. This report will **not** reveal details of any individual children or families.
- 13.3 In all its work to safeguard children, the School will need to work in partnership with other agencies and with parents.
- 13.4 The adequacy of these procedures will be reviewed and the procedures formally adopted annually by the Governing Body.

Further detailed information can be found in:

<https://www.gov.uk/topic/schools-colleges-childrens-services/safeguarding-children>

These procedures are based on:

Cheshire West and Chester's 'Schools Safeguarding Policy Framework for Children and Young People'

Keeping Children Safe in Education – Guidance from September 2018

Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings

Working together to Safeguard Children

What to do if you are worried a child is being abused

Children Act 1989

Education Act 2002

Children Act 2004

Contacts:

Designated Safeguard Lead – Mrs J Jones, J.Jones@epchs.co.uk

I-ART 0300 123 7047

LADO contact details are: In Cheshire West the LADO operates on a rota basis comprising Child Protection Chairs within the Safeguarding, 0151 337 4570.

safeguardinglado@cheshirewestandchester.gov.uk

APPENDIX 1

Transgender Policy

“We can only build the future by standing together, including everyone.”

Pope Francis

The purpose of this policy is to explain Ellesmere Port Catholic High School’s approach to gender identity by:

- ensuring teachers and governors supporting with transgender matters inclusively and sensitively but within the catholic framework
- providing an inclusive and safe environment for any transgender student
- ensuring all students are aware of and educated on gender identity

GENDER IDENTITY

Some people believe gender is a spectrum, which is not limited to male or female – but can span anywhere between these two binary points. A transgender person feels that their sex does not match up with the way they feel internally about their gender identity. A female to male (FTM, or trans male) person will have been assigned as female at birth, but will identify as male; a male to female (MTF, or trans female) person will have been assigned as male at birth, but will identify as female.

The word transgender, often shortened to trans, is a term used to describe people who identify as a different gender to that which they were assigned at birth. However, it is also an umbrella term which can include people who do not feel exclusively male or female (non-binary). Gender can be fluid, and some people that do not relate to their assigned gender may never transition. Some people choose to use alternative pronouns. For example, someone who is gender fluid but chooses to keep their sex as male, may prefer to be known by ‘she/her/hers’ pronouns. Others may prefer to be known by ‘they/them/theirs’.

Gender Dysphoria is a clinical condition that can present from a very early age and can only be diagnosed by a medical expert. A person diagnosed with Gender Dysphoria may require treatment, e.g. hormone blockers to delay puberty, before being prescribed hormones of their desired gender. A transgender person may live their life without being or needing to be diagnosed as having Gender Dysphoria.

Diagnosis and treatment for young people is available from specialist Gender Identity Clinics (GICs) – which are available in many locations across the UK. It must be understood that some people with Gender Dysphoria may not want any treatment. Some may choose to be known by a different name or to wear different clothes. However, most young transgender people (and their families) will need support as they grow up and develop.

LEGISLATION

Data Protection Act 2018/General Data Protection Regulation – GDPR

Information about a person's transgender status is considered 'sensitive personal data' and is subject to tighter controls than other personal data. Explicit consent is required before it can be processed. Personal data must be looked after properly following the data protection principles, which include ensuring personal data is accurate, secure and processed fairly and lawfully.

The Data Protection Act sits alongside the GDPR, and tailors how the GDPR applies in the UK. The GDPR applies to the processing of personal data; all IT records of the individual's personal life and medical history ("sensitive personal data") must be held in line with the GDPR, including password-protection, and should be "kept for no longer than is absolutely necessary". A named person who needs to access this private information, must still ask permission of the individual concerned, unless there is an emergency situation and the individual is unable to give permission. Employers should note that an individual who suffers damage by reason of any contravention by a data controller of any of the requirements of the GDPR is entitled to compensation from the data controller for that damage.

The Human Rights Act 1998

The following Articles from The Human Rights Act 1998 support the rights and needs of transgender people to live their lives in their true gender.

- Article 8: right to respect private life and family life.
- Article 10: freedom of expression.
- Article 14: the prohibition of discrimination.

The Gender Recognition Act 2004

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth certificate to match their true gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to.

Equality Act 2010

The Equality Act 2010 ensures legal protection against discrimination, harassment and victimisation for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment. Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to schools and young people.

The Equality Act 2010 (2:1:7) states that:

"A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."

The Act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a student will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so.

The legislation states that a school must not discriminate against a student because of their transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible school uniform rule which offers no “unisex” options such as trousers for girls, and which would therefore create a particular difficulty for a FTM student.

Our Catholic Ethos

As an official stance the Catholic Church rejects the idea that gender is distinct from biological sex. The Congregation for Catholic Education supports conversation relating to the topic of non-conforming genders through the guiding principles; *to listen, to reason and to propose*. Please refer to *“Male and female he created them; towards a path of dialogue on the question of gender theory in education”* for more detail.

The Book of Genesis highlights that each person is made in the image of God (Gen 1:27) and therefore at Ellesmere Port Catholic High School we believe that each child in our community mirrors divine glory. We regard Catholic education central to our curriculum and ethos and *“At the heart of Catholic education is the development, growth and journey of the whole person towards becoming fully human, fully alive, as a unique creation made in God’s image (Gravissimim Educationis).*

As the school is part of the Diocese of Shrewsbury, we echo the message from *“Diocese of Shrewsbury: The Truth and Meaning of Human Sexuality: Guidelines for Education within Our Schools”*. The guidelines believe that sex education must contribute towards the children’s development of self-image, respect and love for each other, whilst emphasising sexuality as a gift from God which recognises the beauty and dignity of the child who will later become an adult. We aim to emphasise the importance of puberty and recognise the changes that happens to the body as a child matures and the importance of respecting the sacredness of the body during these stages and later on in life.

SCHOOL ATTENDANCE

Ellesmere Port Catholic High School, will make reasonable adjustments to accommodate absence requests for treatment and external sources in line with their absence policy. Sensitive care will be taken when recording the reason for absence.

TRANSPHOBIA AND BULLYING

Ellesmere Port Catholic High School has a robust anti-bullying policy. In line with this policy, transphobic incidents will be recorded on CPOMS and dealt with in the same manner as other incidents that are motivated by prejudice, e.g. racist or homophobic incidents.

TRAINING

In order to ensure all staff and Governors have the skills to deal with transgender issues, Ellesmere Port Catholic High School will hold training sessions on topics such as:

- Safeguarding
- Confidentiality

- Gender Identity
- Tackling transphobia
- Relevant legislation

All topics will be covered during the Ellesmere Port Catholic High School INSET programme and will be revisited annually.

THE CURRICULUM

Issues connected to gender identity will be visited for all students during curriculum time during the PSHE programme. These issues will also be touched upon during other subjects. The Religious Education lessons in school also cover the topic of gender and reflect on the teachings of the church when it comes to diversity.

PHYSICAL EDUCATION

Sports and Physical Education is a key aspect of the national curriculum and the physical and mental well-being of young people. Physical Education develops students' competence and confidence to take part in a range of physical activities that become a central part of their lives, both in and out of school. A young transgender person has the same right to Physical Education as other young people.

With regard to young transgender people at school or college, there should be reasonably few, if any, issues regarding participation within the sports of their gender identity. There may be sports where, as puberty develops, MTF transgender participants may have a physical advantage over other girls but this should not present a problem within a carefully and sensitively managed lesson context. The issue of physical risk within certain sports should also be managed properly within the lesson context rather than preventing young transgender people from participating (which would be discriminatory).

It may be that due to the nature of contact and physicality of sports such as rugby, the school would consider whether a transgender person participating in full contact lessons is appropriate towards the latter stages of puberty. This is something that Ellesmere Port Catholic High School will take a view on prior to the delivery of those lessons, in discussion with parents or guardians.

The use of changing room facilities will also be carefully considered. Facilities for transgender participants will be sensitive to their needs and also recognise the needs and sensitivities of other students. When competing at another school or outside venue, school staff must ensure there is appropriate sensitive provision available.

WORK EXPERIENCE

The Equality Act 2010 encompasses every environment that pupils will be working in, therefore all placements should be aware of their duties and responsibilities. Where Ellesmere Port Catholic High School is considering allowing a transgender young person to attend a work experience placement the school will complete a suitable assessment on the potential placement to establish if there is any risk to the young transgender person, taking account of the young transgender person's right to privacy. As a general principle, personal information on the young person must not be shared.

Ellesmere Port Catholic High School will be sensitive to this in their planning before any young transgender person is placed in any business or organisation. Careful discussion about the

placement with the student and parents or guardians, will occur to find the most suitable way forward to ensure the placement is successful.

CHANGING/TOILET FACILITIES

There is provision in Ellesmere Port Catholic High School for accessible toilets. Transgender students will be able to use these facilities which have been labelled sensitively and appropriately. Ellesmere Port Catholic High School has conducted an audit of the appropriateness of the facilities.

SCHOOL UNIFORM

Transgender students will be expected to follow the School Uniform Policy, which covers uniform, make-up and jewellery. There is a generally broad range of uniform available for all genders (i.e. girls and boys can wear trousers and skirts, and all students must wear a blazer, shirt and tie).

NAME CHANGING AND EXAM CERTIFICATION

If a transgender student wishes to have their preferred name recognised on school systems, this will be supported and will feed on to letters home, report cycles etc. Furthermore, the change of name and associated gender identity will be respected and accommodated by the school. It is a real indicator that the transgender student is taking steps to, or proposing to move towards a gender they feel they wish to live in. It is important that the school recognises the wishes of the parents within this process and this will be reflected on within the decision making.

Technically, students can be entered under any name with an Examination Board. However, it is a very complex matter. Once a result is accredited it will need to be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which existed in the school census information submitted in January of the examination year. UPNs and ULNs are only linked with legal names, not preferred names. It is possible for examination certificates to be issued in the preferred name, but any young person finding themselves in this position should discuss this issue with Ellesmere Port Catholic High School and parents or guardians to ensure the best way forward.

Schools and colleges are encouraged to ensure a strategy is agreed with the student and their parents or guardians, then agreed with the various Examination Boards prior to starting GCSE courses as some examinations may be sat in year 10 and the length of time the process re-registering may take. Schools will also need to be aware that the DfE analysis of school performance may still present the student in the gender registered by their UPN.

It is possible for any documentation to be changed to reflect the chosen name of the young person. Changing the gender recorded on a birth certificate is not possible until a Gender Recognition Certificate has been issued. In order to change a name on other official documents such as a passport, it may be necessary for evidence of change of name to be produced. There are two ways in which this can be done: by deed poll and by statutory declaration. The Citizens Advice Bureau and transgender support organisations will have more information on this subject. A person under 16 years of age cannot change their name legally without the consent of a parent.

VACCINATIONS

Ellesmere Port Catholic High School will allow any gender specific vaccinations to be carried out at the GP's surgery in order to eliminate any anxiety issues.

SCHOOL VISITS

Learning about different cultures and lives and taking part in activities may lead to overnight stays, both at home and abroad. Issues may arise for both young transgender students and other students but this must not mean transgender students cannot be included on the visit.

Ellesmere Port Catholic High School will give consideration well in advance of any additional needs which may include having a parent or guardian (or member of staff) accompanying the visit to ensure the transgender student is fully included.

The sleeping arrangements will be considered before an overnight visit is undertaken.. Each individual case and visit needs to be considered separately and in-depth discussions will happen well in advance, with all appropriate bodies, linked to the accommodation available.

With regards to a visit abroad, anyone can be searched at borders and other places. Different countries will have policies and procedures they will follow. Ellesmere Port Catholic High School will contact the relevant border control or agency in advance to ensure that any policy or risk assessment completed by the school is accurate for that visit.

Some countries may have laws that make it illegal to be part of the transgender community. Some countries make it an offence not to report to the authorities that someone is part of the transgender community. Ellesmere Port Catholic High School will consider and investigate the laws regarding transgender communities in any country considered for a school visit.

APPENDIX 2

GLOSSARY OF TERMS

AFAB – assigned female at birth.

AMAB – Assigned male at birth.

Binary/Non-binary – Refers to the gender spectrum: Binary refers to the two ends of the spectrum – male and female; non-binary can be used to describe someone who identifies not solely with either of these genders, but somewhere in between.

Binding – a FTM adolescent that is developing breasts may strap down their chest so that it is less obvious. This can be hot, uncomfortable and restrictive but very important to their psychological and emotional wellbeing. It might make certain PE lessons difficult for them to participate in and could sometimes lead to breathing difficulties, skeletal problems and fainting.

Cisgender – Someone who identifies completely with their assigned gender at birth (which also corresponds to their sex).

FTM – Female to Male, a person that was assigned as female at birth but came to feel that their true gender is actually male.

Gender – the way that a person feels about themselves in relation to their physical and mental self; the basis of their identifying as male, or female, or neither, or either, or somewhere else on the spectrum.

Gender Dysphoria – the medical condition that describes the symptoms of being transgender.

Gender Fluid – Someone who identifies as gender fluid will identify with a different gender on a varying basis. They may feel more feminine some days and more masculine on other days; or feel that neither male nor female describes them fully.

Gender Identity – the gender that a person truly feels they are inside.

Gender Recognition Certificate – an official document presented by a Gender Recognition Panel that enables all official documents and records (including birth certificate) to be amended to the true gender of the individual thereby providing full legal recognition.

Gender Spectrum – the continuum between the two binary points of male or female. This is vast and many people identify at different points.

Hormone Suppressors/Puberty Blockers – drugs that are given in order to delay the process of puberty. These can be prescribed before a child is old enough to start taking hormones such as oestrogen or testosterone.

MTF – Male to Female, a person that was assigned as male at birth but came to feel that their true gender is actually female.

Packing – a FTM person may wear a prosthetic item in their pants that will give a bulge in their trousers so as to appear more male.

Sex – the way a person's body appears, sometimes wrongly, to indicate their gender.

Transgender – a person that feels the assigned gender and sex at birth conflicts with their true gender.

Trans Female – Someone who was assigned male at birth but identifies as female.

Trans Male – Someone who was assigned female at birth but identifies as male.

Transition – The process of changing gender. This may be by having surgery to change sex organs, or by taking hormones.

Tucking – A MTF person may tuck (and sometimes tape) their genitals between their legs so that it does not show at the front.