



THE MERCIAN TRUST

Increasing Opportunities | Improving Outcomes

Child Protection and Safeguarding Policy

Policy Owner	The Mercian Trust — Standards and Effectiveness Committee
Responsibility	Seona Baker – Director for Safeguarding, Risk and Compliance
Effective from	1 st September 2026
Review Date	June 2027 <i>(or earlier if legislation or statutory guidance changes)</i>
Legislation / Guidance	• Keeping Children Safe in Education 2026 • Working Together to Safeguard Children • Education Act 2002; Children Acts 1989 and 2004 • Equality Act 2010 and the Public Sector Equality Duty • Education (Independent School Standards) Regulations 2014 • Sexual Violence and Sexual Harassment between Children in Schools and Colleges • Counter-Terrorism and Security Act 2015 and Prevent Duty Guidance • Data Protection Act 2018 and UK GDPR including safeguarding information sharing • Public Interest Disclosure Act 1998 • DfE Suspension and Permanent Exclusion Guidance plus the Trust's Suspensions, Exclusions and Pupil Movement Policy 2026 • DfE statutory guidance on restrictive interventions including reasonable force, April 2026. • Current Ofsted Inspection Framework and state-funded schools inspection toolkit • Academy Trust Handbook • Relationships Education, Relationships and Sex Education (RSE) and Health Education (DfE, September 2026) • Allergy Safety in Schools (DfE, July 2026) • Early Years Foundation Stage Statutory Framework (DfE, September 2026) (where applicable)
Changes since last update	• New policy — replaces all previous Trust and school-level Child Protection and Safeguarding Policies. • Updated to reflect Keeping Children Safe in Education 2026 and related DfE statutory guidance. • Updated to reflect the Trust's new governance model, including the revised Scheme of Delegation and the Resolution Team model effective from 1st September 2026.

This policy replaces all previous versions and sets the Trust-wide strategic framework and non-negotiable safeguarding expectations. Each school maintains separate, accessible local safeguarding procedures explaining contacts, referral routes, systems, contextual risks and day-to-day practice. Allegations of harm against staff, including low-level concerns, are managed in accordance with Annex 1 to this policy.

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1. The Mercian Trust Vision and Safeguarding Principles

- 1.1
- Safeguarding within The Mercian Trust is a fundamental responsibility and core strategic priority. It is integral to the Mercian Trust’s mission to improve social mobility and deliver social justice by ensuring every child and young person is protected from harm, supported to thrive and enabled to achieve sustained positive outcomes.
- 1.2
- The Mercian Trust promotes an inclusive and anti-discriminatory safeguarding culture in which all children are valued, respected and protected from harm, including harm arising from prejudice, discrimination or identity-based abuse.
- 1.3
- Our Trust’s Principles, Values and Behaviours are embedded throughout our safeguarding practice: -

Section 1 table — Our Principles, Values and Professional Behaviours

Our Principles	Our Values	Our Professional Behaviours
Social Mobility and Social Justice	We care	In our work
Belonging and Inclusion	We are courageous	In our relationships
Innovation and Improvement	We are candid	In our development
Safeguarding and Wellbeing	We are Accountable	In our approach

Mercian Trust Vivid Vision

- 1.3
- Embedding the Vivid Vision into Safeguarding:* At the Mercian Trust, safeguarding is not only a statutory duty but a moral imperative that aligns directly with our Vivid Vision 2030. Our safeguarding approach is rooted in our mission to enable all children and young people to live “*life to the full in pursuit of what is good, right, and true*” and to increase opportunities and improve outcomes for every learner.
- 1.4
- Strategic Alignment:* Our safeguarding policy is underpinned by the following strategic pillars of the Trust’s Vivid Vision:
 - **Equitable Education:** We are committed to expertly preparing each student for life and work, regardless of social, economic, or personal circumstances. Safeguarding is central to this goal, ensuring that all students feel safe, supported, and empowered to thrive
 - **People First:** We invest in recruiting, retaining, and developing staff and volunteers who are vigilant, compassionate, and confident in their safeguarding responsibilities. Continuous professional development ensures our team is equipped to respond to emerging risks and to use digital tools and AI ethically and effectively
 - **Community and Place:** We work in reciprocal partnership with families, local agencies, and community organisations to create a safeguarding culture that extends beyond the school gates. Our schools are safe spaces where every child is known, valued, and protected
 - **Continuous Improvement:** We embrace a culture of reflection and learning, using safeguarding data and case reviews to inform practice and policy. Our systems are designed to be resilient, responsive, and rooted in the best interests of children and young people

- 1.5 This policy reflects our unwavering commitment to safeguarding as a foundation for educational excellence and social justice.

2. Scope and Status

- 2.1 This policy applies to all pupils, staff, trustees, governors, volunteers, visitors, supply staff, contractors and third-party providers working with or on behalf of The Mercian Trust. It applies during the school day, extended provision, trips and residentials, online or remote activity linked to school, and wherever The Mercian Trust retains responsibility for pupils in alternative, off-site or work-related provision.
- 2.2 Each school must maintain separate local safeguarding procedures, reviewed at least annually and whenever arrangements change. These must be clear enough for all staff, supply colleagues, volunteer visiting professionals and parents/carers to understand who to contact, what to record, how to escalate concerns, and how local safeguarding systems operate.

Students aged 18 and over

- 2.3 Where learners are aged 18 or over, schools recognise the transition from child protection arrangements to adult safeguarding under the Care Act 2014. Responses must consider autonomy, consent, proportionality, the Mental Capacity Act 2005 and appropriate Adult Social Care referral pathways.
- 2.4 Staff must continue to report concerns to the Designated Safeguarding Lead (DSL) or Deputy DSL without delay; vulnerability does not end at 18.

3. Definition of Safeguarding

- 3.1 Safeguarding and promoting the welfare of children means protecting children from maltreatment within or outside the home, including online; preventing impairment of mental and physical health or development; providing help and support as soon as problems emerge; ensuring children grow up with safe and effective care; and taking action to enable the best outcomes.
- 3.2 The Mercian Trust uses the terms abuse, neglect and exploitation to reflect the breadth of harm. Harm may be physical, emotional, domestic, sexual, criminal, online or contextual, and may involve discrimination (including racist, religious, homophobic and transphobic abuse), bullying, harassment, coercion, radicalisation, peer relationships or abuse of power.

4. Integrated Mercian Trust Safeguarding Framework

- 4.1 In our Trust safeguarding is connected through leadership and practice frameworks bringing together child protection, inclusion, attendance, behaviour, SEND, mental health, online safety, alternative provision, curriculum, staff conduct and governance assurance.
- 4.2 Schools must use safeguarding information intelligently and proportionately, drawing together pupil-level and whole-school information to understand risk, intervene early and evaluate impact. This includes attendance, suspensions, exclusions, pupil movement (incl. managed moves), repeat behaviour, peer concerns, bullying, discrimination and/or prejudice-related incidents, online incidents, mental health, safeguarding referrals, Prevent and radicalisation concerns, alternative provision, SEND, disadvantage and pupil voice.

5. Roles and Responsibilities

- 5.1 *The Mercian Trust Board:* The Mercian Trust Board retains ultimate strategic responsibility for safeguarding compliance, effectiveness and culture. Trustees receive assurance through Trust safeguarding reports, quality assurance findings, compliance monitoring, risk and assurance reporting, lived-experience intelligence from schools and escalation of significant themes, risks and incidents. Where another body provides services or activities on Trust premises, or for Trust pupils, regardless of whether those attending are on the school roll, the Board is assured that the other body has appropriate safeguarding and child protection policies and procedures in place, that arrangements exist for the body to liaise with the school on safeguarding matters, and that safeguarding requirements are a condition of premises use, with continued use terminated if the body fails to comply.
- 5.2 *Safeguarding Link Trustee:* Provides strategic oversight and professional challenge. Local Governing Bodies bring essential local intelligence and insight into safeguarding culture, pupil and staff experience and belonging, which informs and strengthens the statutory safeguarding oversight, compliance monitoring and audit and quality assurance functions held by the Trust Board.
- 5.3 *Safeguarding Governor Champion:* Each Local Governing Body identifies a Safeguarding Governor Champion who focuses on how safeguarding looks and feels at local level — pupil and staff experience, belonging, culture and local intelligence — working alongside the Safeguarding Link Trustee. This is a local culture and insight role, not a compliance role: the Safeguarding Governor Champion does not monitor safeguarding compliance, undertake statutory safeguarding oversight or perform audit and quality assurance functions, consistent with the wider role of Local Governing Bodies set out above.
- 5.4 *CEO and executive leaders:* The CEO and executive leaders ensure safeguarding remains a visible organisational priority with sufficient leadership, capacity, training, resources, systems and accountability.
- 5.5 *Director of Compliance/Risk and Assurance:* Leads Trust systems for safeguarding compliance, risk and quality assurance, ensuring risks are identified and reporting is accurate and timely.
- 5.6 *Director of Governance Development/Company Secretary:* Maintains the governance architecture through which safeguarding assurance is provided to the Trust Board, including the Scheme of Delegation, committee terms of reference and the Safeguarding Link Trustee appointment. Ensures safeguarding reporting reaches the Trust Board and relevant committees through established governance cycles, maintains registers of interest for governance roles with a safeguarding dimension, and supports the Director for Safeguarding in ensuring governance-level safeguarding scrutiny is evidenced and recorded.
- 5.7 *Director for Safeguarding:* Provides strategic leadership, oversight, quality assurance, professional challenge and support across The Mercian Trust, including policy, DSL networks, reviews, trend analysis, complex case support, governance reporting and improvement priorities. Provides safeguarding assurance and professional challenge where safeguarding intersects with other Trust policies — including suspensions, permanent exclusions, off-site direction, managed moves and safeguarding separation, and any complaint with a safeguarding matter or concern at its core — ensuring resulting themes feed into Trust-wide safeguarding reporting. Reports safeguarding assurance and trends to the Trust Board and relevant committees through established governance cycles, escalating significant or emerging risk without delay.
- 5.8 *Headteachers:* Are responsible for implementing effective safeguarding arrangements and connecting safeguarding with attendance, behaviour, SEND, pastoral, online safety and curriculum systems.

- 5.9 *Designated Safeguarding Lead:* Is the lead professional for safeguarding and child protection and must have the authority, status, time, training, supervision, funding and resources required. Deputy DSLs are trained to the same standard.
- 5.10 *All staff (central and local) and adults working with pupils:* Must provide a safe environment for children, promote an inclusive and anti-discriminatory safeguarding culture, recognise and respond appropriately to indicators of abuse, neglect, exploitation and prejudice-based harm, including racism, faith-targeted abuse and other discriminatory behaviour that may impact a child's welfare or safety, record concerns accurately, maintain professional boundaries, and understand and follow the reporting routes relevant to their role.

6. School-Specific Operational Arrangements

- 6.1 Each school's local procedures include named contacts; local authority and safeguarding partnership routes; referral and escalation arrangements; contextual risks; recording systems; attendance escalation; alternative provision oversight; filtering and monitoring; adult safeguarding pathways where applicable; Operation Encompass arrangements where applicable and low-level concern reporting.

7. Recognising, Reporting and Referring Concerns

- 7.1 Staff must act immediately where they have any concern about a child's welfare and must never assume another person will act. Where there is immediate danger, emergency services must be contacted without delay and the DSL informed as soon as possible.
- 7.2 The usual route is to raise concerns promptly with the DSL or Deputy DSL. However, any member of staff may make a direct referral to children's social care where they believe a child is at risk or appropriate action has not been taken. The DSL should be informed unless doing so would increase risk or compromise protective action.
- 7.3 Records must be timely, factual, accurate and secure, and should include context, the child's words where relevant, action taken and decision rationale.
- 7.4 Female Genital Mutilation (FGM) is a form of child abuse and is illegal in the UK. Any teacher who is informed by a girl under 18 that an act of FGM has been carried out on her, or who observes physical signs that appear to show that FGM has been carried out on a girl under 18 and has no reason to believe the act was necessary for her physical or mental health or for purposes connected with labour or childbirth, **must report this to the police personally**. This is an individual mandatory statutory duty and is separate from, and in addition to, the duty to inform the DSL. Failure to meet this duty may result in disciplinary action. Unless specifically told not to disclose, the teacher should also inform the DSL, who will involve local authority children's social care as appropriate.
- 7.5 Any other member of staff who discovers that an act of FGM appears to have been carried out on a pupil under 18 must speak to the DSL and follow local safeguarding procedures. The mandatory reporting duty described in this paragraph, does not apply where a pupil is at risk of FGM, or FGM is suspected but not known to have taken place. Staff must not examine pupils. Any member of staff who suspects a pupil is at risk of FGM, or suspects FGM has been carried out, should speak to the DSL and follow local safeguarding procedures.

8. Early Help, Local Safeguarding Partnerships and Multi-Agency Working

- 8.1 Schools must understand and use local safeguarding partnership procedures, threshold guidance and referral pathways. Early help is a safeguarding responsibility and should be considered as soon as problems emerge. Multi-agency work must be purposeful and timely, with lawful and proportionate information sharing in the child's best interests.

9. Attendance as Safeguarding

- 9.1 Attendance is a core safeguarding indicator. Persistent absence or severe absence, unexplained absence, patterns of lateness, missing lessons, absence after incidents, or absence from alternative or off-site provision may indicate abuse, neglect, exploitation, mental health need, unmet SEND need or family stress.
- 9.2 Our attendance, safeguarding, pastoral and SEND systems must connect, with vulnerable pupils remaining visible through contact, review and escalation arrangements.

10. Behaviour, Suspension, Exclusion and Pupil Movement

- 10.1 Behaviour may communicate unmet need, trauma, exploitation, peer risk, online harm, mental health difficulty, discrimination, SEND need or contextual vulnerability. Accountability remains important, but decisions must consider risk, need, support and proportionality.
- 10.2 Internal isolation, removal, suspension, permanent exclusion, managed moves, off-site direction and safeguarding separation must be lawful, reasonable, proportionate, fair, recorded and considered through a safeguarding lens.
- 10.3 Off-rolling is never acceptable. Vulnerable pupils must remain visible, safe and supported.

11. Alternative Provision, Off-Site Provision and Work Experience

- 11.1 Our schools and the Trust retain safeguarding responsibility for pupils placed away from the main site. Leaders assure themselves that provision is suitable and safe and that attendance, information sharing and safeguarding arrangements are effective.
- 11.2 Attendance, engagement, incidents, progress, welfare and concerns are reviewed regularly, with enhanced oversight for vulnerable pupils.

12. Online Safety, Filtering and Emerging Technology

- 12.1 Online safety is integral to safeguarding and is embedded across leadership, curriculum, IT systems, staff training, filtering and monitoring, incident response and parental engagement.
- 12.2 Online risks can occur on and beyond school systems and may intersect with peer abuse, harassment, exploitation, mental health, radicalisation, bullying, coercive behaviour harmful content, misinformation, image sharing, including artificial intelligence and emerging technologies, which are now considered part of the current safeguarding risk landscape rather than future risks.
- 12.3 Schools have appropriate filtering and monitoring arrangements in line with the DfE's filtering and monitoring standards for schools and colleges. Leaders understand the systems in place, how concerns are triaged, how incidents are escalated, how roles are allocated and how effectiveness is reviewed against those standards.

- 12.4 Digital safeguarding approaches must be preventative as well as reactive. Curriculum and pastoral work should develop pupils' knowledge, resilience, reporting confidence and understanding of safe, respectful and lawful online behaviour.
- 12.5 Schools implement contextual approaches to device use, including mobile-free environments where appropriate, to reduce safeguarding risk.
- 12.6 Staff are permitted to bring personal mobile phones and cameras onto school premises for their own use but will limit such use to non-contact time when pupils are not present. Staff must not take photographs or recordings of pupils on personal phones or cameras.

13. Restrictive Interventions and Reasonable Force

- 13.1 Our schools minimise restrictive intervention through inclusive practice, early support, risk assessment, de-escalation, reasonable adjustments and positive relationships. Any intervention must be lawful, necessary, reasonable, proportionate and never used as punishment or convenience.
- 13.2 Significant incidents are recorded, reviewed and considered for wider safeguarding action.

14. Children Potentially at Greater Risk of Harm

- 14.1 In our Trust additional vigilance is a priority for pupils with SEND, disability, health or communication needs; children who have English as an additional language, children who have or previously had a social worker; looked-after and previously looked-after children; kinship care; young carers; homelessness; asylum or migration experience; disadvantage; poor attendance; exclusion risk; mental health need; domestic abuse; exploitation risk; and children experiencing barriers linked to identity or protected characteristics. Categories are not fixed and are considered alongside local context and emerging risk.
- 14.2 Additional vulnerability will never result in lower expectations. Leaders must remove barriers, make reasonable adjustments, listen to pupils, seek specialist advice and evaluate impact on safety, belonging, attendance, engagement and outcomes.

15. SEND, Disability, Health and Communication Needs

- 15.1 Staff remain alert to communication barriers, isolation, dependence on adults, bullying and exploitation, and must not attribute possible indicators of harm to disability or diagnosis without professional curiosity.
- 15.2 The DSL and SENCO ensure safeguarding and SEND systems connect.

16. Mental Health and Wellbeing

- 16.1 Mental health concerns may indicate abuse, neglect, exploitation, trauma, discrimination, peer harm, family stress or unmet need. Our staff are not expected to diagnose but must report concerns.
- 16.2 Where there is risk of harm to self or others, emergency and safeguarding procedures must be followed immediately. Our Multi Disciplinary Team offer additional advice, support and guidance.

17. Child-On-Child Abuse, Bullying and Harmful Behaviour

- 17.1 The Trust adopts an “*it could happen here*” approach. Pupils must know how to report, reports must be taken seriously, victims supported, alleged perpetrators managed safely and fairly, and patterns analysed to inform prevention and curriculum.
- 17.2 Safeguarding, behaviour and pastoral systems respond together.
- 17.3 Racist, religious, homophobic, biphobic and transphobic language and abuse between pupils — including the use of racial slurs or other identity-based slurs — are recorded and addressed on every occasion. Staff exercise professional judgement, informed by the DSL where needed, in assessing context, intent and the relationship between those involved when deciding on a proportionate response, but context is never used as a reason not to record, address or follow up an incident.

18. Inclusion, Identity and Non-Discrimination

- 18.1 Our schools provide a safe, respectful and non-discriminatory environment for all pupils. Staff recognise that bullying, isolation, mental health difficulties or barriers to disclosure may increase risk.
- 18.2 Racist, religious, homophobic, biphobic and transphobic behaviour, including the use of racial or other discriminatory slurs, is treated with the utmost seriousness wherever it occurs and whoever is involved — between pupils, between staff, from staff towards pupils, from pupils towards staff, or involving parents, carers, visitors, contractors or other stakeholders. Such conduct must always be reported, recorded and responded to in line with this policy, the Staff Code of Conduct, the Behaviour Policy and, where appropriate, disciplinary or safeguarding procedures. Context, intent and the relationship between those involved may inform the proportionality of the response but are never used as a reason not to report, record or follow up an incident, and conduct is never dismissed as “*banter*” on that basis.
- 18.3 Where the conduct involves a member of staff, it is managed in accordance with Appendix 2 of this policy and the Trust's disciplinary procedures. Where it involves a pupil, it is managed in accordance with Section 18 above and the school's Behaviour Policy. Where it involves a parent, carer, visitor, contractor or other adult, it is managed in accordance with the Trust's Visitor and Safeguarding arrangements and, where necessary, the Trust's policy on unacceptable behaviour towards staff through the Parent Code of Conduct document.
- 18.4 Decisions must be lawful, proportionate, based on individual circumstances and focused on safety and wellbeing.

19. Parents and Carers

- 19.1 Parents and carers will usually be informed about safeguarding concerns where appropriate and safe. They will not be informed where this may increase risk, compromise a police or social care investigation, or undermine protective action.
- 19.2 Parents, carers and pupils who wish to raise a safeguarding concern of their own should contact the school's DSL or headteacher in the first instance, using the contact routes published in the school's local safeguarding procedures. Concerns that a child is at immediate risk of harm should always be raised without delay through these routes, or directly with the emergency services or children's social care where appropriate.

20. Concerns About Adults and Low-Level Concerns

(See Annex 1 for further information)

- 20.1 All concerns about adults working with children must be reported promptly under the Trust and local procedures and guidance. A low-level concern is behaviour towards a child that may not meet the harm threshold but may be inconsistent with the Staff Code of Conduct, professional boundaries or safer culture expectations. Concerns must be recorded, reviewed for patterns and managed proportionately.
- 20.2 The LADO (Local Authority Designated Officer) is consulted where the harm threshold may be met.

21. Safer Recruitment and Ongoing Workforce Safeguarding

- 21.1 The Mercian Trust and schools within the Trust, complete statutory checks, maintain an accurate Single Central Record and ensure recruitment assesses suitability to work with children.
- 21.2 Safeguarding continues after appointment through induction, probation, supervision, training, conduct expectations, whistleblowing and low-level concern arrangements.
- 21.3 Where a concern or allegation is raised about a member of staff, volunteer, supply teacher or contractor, this is managed in accordance with Annex 1 (Allegations against staff, including low-level concerns), rather than through this section.
- 21.4 Visitors, contractors and other non-employed adults: All Trust schools have processes in place to verify the identity of visitors to the satisfaction of staff. Where a visitor is unknown to the setting, their credentials and reason for visiting will be checked before they are permitted to enter, and visitors should be ready to produce identification. Visitors attending for a professional purpose (for example, educational psychologists or social workers) will be asked to show photo ID. The organisation sending the professional may be requested to provide prior written confirmation that an appropriate level of DBS check has been carried out on their staff. All other visitors, including visiting speakers, will be accompanied by a member of staff at all times. No speaker known to disseminate extremist views will be invited into a Trust school, and appropriate checks will be carried out to ensure that any individual or organisation using school premises is not seeking to disseminate extremist views or radicalise pupils or staff.

22. Confidentiality, Information Sharing and Records

- 22.1 Confidentiality does not prevent necessary information sharing to keep a child safe and therefore, staff will not promise confidentiality.
- 22.2 Records distinguish fact, professional judgement and third-party information and child protection files are transferred securely and promptly when pupils move settings.
- 22.3 Where a child for whom a school has, or has had, safeguarding concerns moves to another school, the DSL will ensure that the child protection file is forwarded promptly and securely, separately from the main pupil file, within 5 working days for an in-year transfer, or within the first 5 days of the start of a new term. Where concerns are significant or complex, or social care is involved, the DSL will speak directly to the DSL of the receiving school to enable them to prepare for the child's arrival.

23. Training, Induction and Professional Development

Trust Staff

- 23.1 All staff complete mandatory safeguarding and child protection training at induction stage and receive regular updates. Staff are also required to read Part One of Keeping Children Safe in Education (KCSIE) and any additional sections directed by the Trust/school, and confirm that they have read and understood them. This includes any and all updates by the DfE. Training covers local procedures and risks, online safety, early help, child-on-child abuse, attendance, low-level concerns, professional boundaries and reporting routes.
- 23.2 Safeguarding understanding is not assumed from attendance or written confirmation alone. Schools seek assurance that knowledge is retained and applied through professional discussion, scenarios, briefings, review of practice and other proportionate quality assurance.
- 23.3 Failure to complete mandatory safeguarding requirements will be addressed under the Staff Code of Conduct and relevant employment policies and procedures.

Trustees, Governors and Volunteers

- 23.4 Governors and trustees, including all Resolution Panel members, must read at least Part One and Part Two ("The management of safeguarding") of KCSIE 2026 at induction, and confirm that they have read and understood them. Part Two sets out the safeguarding responsibilities of governing bodies and proprietors directly and is treated as essential reading for every governor and trustee, not optional or role-dependent.
- 23.5 Additional parts of KCSIE 2026 are read according to role: Part Three (safer recruitment) by governors and trustees involved in recruitment panels; Part Four (allegations against staff) by those who may sit on a disciplinary or allegations panel, including the chair; and Part Five (child-on-child sexual violence and sexual harassment) by the Safeguarding Link Trustee. The Director for Safeguarding maintains a record of which parts each governor or trustee has read, alongside their wider safeguarding training record.
- 23.6 Governors' and trustees' safeguarding training, including KCSIE reading, is provided at induction and refreshed at least annually, equipping them to provide strategic challenge and to test and assure themselves that safeguarding policies and procedures are effective.

24. Safeguarding Curriculum and Preventative Education

- 24.1 Safeguarding is strengthened when pupils are taught to recognise risk, seek help, build healthy relationships, understand boundaries, use technology safely, challenge discrimination, understand extremism and radicalisation risks, and develop resilience.
- 24.2 Schools provide age-appropriate preventative education through curriculum, assemblies, tutor time, pastoral programmes and targeted support.
- 24.3 The curriculum must respond to local and national risk, pupil voice, safeguarding data and the needs of vulnerable pupils and groups. Leaders evaluate whether pupils know how to report concerns and whether education is reducing risk and strengthening belonging.

25. Complaints, Whistleblowing and Escalation

- 25.1 Concerns about safeguarding practice are taken seriously. Staff must use school and Trust escalation routes where they believe a concern has not been acted upon appropriately. Whistleblowing routes, operating in line with the Public Interest Disclosure Act 1998, apply where staff are concerned about unsafe practice, leadership response or organisational culture.
- 25.2 Parents, carers and pupils who wish to raise a safeguarding concern should contact the school's DSL or headteacher in the first instance, using the contact routes published in the school's local safeguarding procedures. Where a parent, carer or pupil is unhappy with how a safeguarding concern has been handled, this is addressed through the Trust's Complaints, Compliments and Comments Policy. Concerns that a child is at immediate risk of harm should always be raised without delay and are never treated solely as a complaints matter.

26. Quality Assurance, Impact and Continuous Improvement

- 26.1 The Mercian Trust evaluates safeguarding through evidence of practice and impact, not policy compliance alone. Quality assurance includes safeguarding audits, Trust and peer review, case file review, DSL supervision or reflective discussion, pupil and staff voice, training compliance, single central record assurance, analysis of safeguarding records, and review of attendance, behaviour and alternative provision, alongside governance scrutiny.
- 26.2 Leaders must be able to explain how they know safeguarding is effective. This includes evidence that concerns are identified early, records are of high quality, referrals are appropriate, pupils feel safe and know how to report concerns, vulnerable pupils are visible, attendance and engagement improve, risk is reduced, and actions lead to improved outcomes.
- 26.3 The Trust uses safeguarding self-evaluation, including school self-evaluation (SEF), alongside quality assurance, risk and governance processes to support honest assessment of strengths, areas for development and impact. This process involves connected leadership roles, including safeguarding, SEND, attendance and behaviour, rather than sitting solely with the DSL.
- 26.4 Evaluation is informed by both Trust quality assurance activity and Local Authority safeguarding audits (Section 175/157), alongside wider risk and assurance systems.

27. Governance Reporting

- 27.1 Schools share appropriate safeguarding culture and lived-experience information with Local Governor Champions and Governing Bodies in line with the Scheme of Delegation. This may include pupil and staff voice, perceptions of safety, inclusion, belonging, local contextual risk and visibility of vulnerable pupils.
- 27.2 Safeguarding compliance, statutory responsibilities, training compliance, safer recruitment, the Single Central Record, safeguarding records, allegations management, alternative provision oversight and wider assurance are reported through Trust governance structures. Detailed responsibilities and reporting routes are set out in the Trust's Scheme of Delegation and supporting governance documentation.

28. Review and Publication

- 28.1 This policy will be reviewed annually and earlier where statutory guidance, local safeguarding partnership procedures, Trust structure, inspection framework, risk or operational arrangements change.
- 28.2 Each school ensures its local procedures are accurate, accessible, published as required and communicated to staff.

Allegations Against Staff (including low-level concerns)

SECTION 1: ALLEGATIONS THAT MAY MEET THE HARM THRESHOLD

- A1.1 This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer or contractor, has:
- (a) Behaved in a way that has harmed a child, or may have harmed a child
 - (b) Possibly committed a criminal offence against or related to a child
 - (c) Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children
 - (d) Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school
- A1.2 If the Trust is in any doubt as to whether a concern meets the harm threshold, it will consult with the relevant Local Authority Designated Officer (LADO).
- (a) The Trust will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.
 - (b) A 'case manager' will lead any investigation. This will be the headteacher, or the chair of the governing body where the headteacher is the subject of the allegation. The case manager will be identified at the earliest opportunity.
 - (c) Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension of the accused until the case is resolved

- A1.3 Suspension of the accused will not be the Trust's default position and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. In such cases, the Trust will only suspend an individual if the Trust has considered all other options available and there is no reasonable alternative.
- A1.4 Based on an assessment of risk, the Trust will consider alternatives such as:
- (a) Redeployment within the school/Trust so that the individual does not have direct contact with the child or children concerned
 - (b) Providing an assistant to be present when the individual has contact with children
 - (c) Redeploying the individual to alternative work in the school/Trust so that they do not have unsupervised access to children
 - (d) Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted
 - (e) Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the Trust
- A1.5 If in doubt, the case manager will seek views from the Trust's Director of People and Organisational Development or the Directorate's representative and the designated officer at the local authority, as well as the police and local authority children's social care where they have been involved.

Definitions for outcomes of allegation investigations

Outcome	Definition
Substantiated	There is sufficient evidence to prove the allegation.
Malicious	There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation.
False	There is sufficient evidence to disprove the allegation.
Unsubstantiated	There is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence).
Unfounded	To reflect cases where there is no evidence or proper basis which supports the allegation being made.

Procedure for dealing with allegations

A1.6 In the event of an allegation that meets the criteria above, the case manager will take the following steps:

- (a) Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below.
- (b) Discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or local authority children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police).
- (c) Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or local authority children's social care services, where necessary). Where the police and/or local authority children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies.
- (d) Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school/Trust is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or local authority children's social care services, as appropriate.
- (e) Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to local authority children's social care.
- (f) **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within one working day, and the individual will be given a named contact at the school/Trust and their contact details.
- (g) **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation.

- (h) **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school/the Trust and/or liaise with the police and/or local authority children's social care services as appropriate.
- (i) Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- (j) Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with local authority children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice.
- (k) Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member).
- (l) Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child.

A1.7 If the Mercian Trust is made aware that the Secretary of State has made an interim prohibition order in respect of an individual, it will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

A1.8 Where the police are involved, wherever possible the Trust will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's/Trust disciplinary process, should this be required at a later point.

Additional considerations for supply teachers and all contracted staff

A1.9 If there are concerns or an allegation is made against someone not directly employed by the Trust, such as a supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

- (a) The Trust will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome
- (b) The headteacher will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school/Trust, while the investigation is carried out
- (c) Trust schools will involve the agency fully, but the school/Trust will take the lead in collecting the necessary information and providing it to the LADO as required
- (d) Trust schools will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (they will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

A1.10 When using an agency, Trust schools will inform them of the Trust's process for managing allegations, and keep them updated about its policies as necessary, and will invite the agency's HR/People manager or equivalent to meetings as appropriate.

Timescales

A1.11 Trust schools will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

- (a) Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 5 working days
- (b) If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 working days
- (c) If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 working days

A1.12 However, these are objectives only and where they are not met, the Trust will endeavour to take the required action as soon as possible thereafter.

Specific actions

Action following a criminal investigation or prosecution

A1.13 The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or local authority children's social care services.

Conclusion of a case where the allegation is substantiated

A1.14 If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the Trust will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

A1.15 If the individual concerned is a member of teaching staff, and the allegation is substantiated, or the individual resigns or otherwise ceases employment in circumstances where dismissal for serious misconduct would otherwise have been considered, the Trust will consider, without delay, whether to refer the matter to the Teaching Regulation Agency (TRA) for consideration of a prohibition order. Where there is any doubt as to whether the threshold for referral is met, a referral will be made.

Individuals returning to work after suspension

A1.16 If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

A1.17 The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

Unsubstantiated, unfounded, false or malicious reports

A1.18 If a report is:

- (a) Determined to be unsubstantiated, unfounded, false or malicious, the headteacher will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to local authority children's social care may be appropriate supported by the schools DSL
- (b) Shown to be deliberately invented, or malicious, the school/Trust will consider whether any disciplinary action is appropriate against the individual(s) who made it

Unsubstantiated, unfounded, false or malicious allegations

A1.19 If an allegation is:

- (a) Determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to local authority children's social care may be appropriate
- (b) Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

Confidentiality and information sharing

A1.20 The Trust will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

A1.21 The case manager will take advice from the LADO, police and local authority children's social care services, as appropriate, to agree:

- (a) Who needs to know about the allegation and what information can be shared
- (b) How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- (c) What, if any, information can be reasonably given to the wider community to reduce speculation
- (d) How to manage press/public/social media interest if, and when, it arises

Record-keeping

A1.22 The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

A1.23 The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

A1.24 For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- (a) A clear and comprehensive summary of the allegation
- (b) Details of how the allegation was followed up and resolved
- (c) Notes and/or recordings of any action taken, decisions reached and the outcome
- (d) A declaration on whether the information will be referred to in any future reference

A1.25 In these cases, the school/Trust will provide a copy to the individual, in agreement with local authority children's social care or the police as appropriate.

A1.26 The Trust will retain all records at least until the accused individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

References

A1.27 When providing employer references, the Trust will:

- (a) Not refer to any allegation that have been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious

- (b) Include substantiated allegations, provided that the information is factual and does not include opinions

Learning lessons

A1.28 After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that can be made to the Trust's procedures or practice to help prevent similar events in the future.

A1.29 This will include consideration of (as applicable):

- (a) Issues arising from the decision to suspend the member of staff
- (b) The duration of the suspension
- (c) Whether or not the suspension was justified
- (d) The use of suspension when the individual is subsequently reinstated. The Trust will consider how future investigations of a similar nature could be carried out without suspending the individual

A1.30 For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

Non-recent allegations

A1.31 Abuse can be reported, no matter how long ago it happened. The Trust's schools will report any non-recent allegations made by a child to the LADO in line with the local authority's procedures for dealing with non-recent allegations.

A1.32 Where an adult makes an allegation to the school/Trust that they were abused as a child, the Trust will advise the individual to report the allegation to the police.

SECTION 2: CONCERNS THAT DO NOT MEET THE HARM THRESHOLD

A2.1 This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in Section 1 above.

A2.2 Concerns may arise through, for example:

- (a) Suspicion
- (b) Complaint
- (c) Safeguarding concern or allegation from another member of staff
- (d) Disclosure made by a child, parent or other adult within or outside the school/Trust
- (e) Pre-employment vetting checks

A2.3 The Trust recognises the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

Definition of low-level concerns

A2.4 The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the school/Trust may have acted in a way that:

- (a) Is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work, **and**

- (b) Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

A2.5 Examples of such behaviour could include, but are not limited to:

- (a) Being overly friendly with children
- (b) Having favourites
- (c) Taking photographs of children on a Trust/School authorised device ie mobile phone/tablet/recording device, without the relevant written permissions being in place. *NB: Taking photographs/recording children on personal devices is strictly forbidden.*
- (d) Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- (e) Humiliating pupils

Sharing low-level concerns

A2.6 The Trust recognises the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

A2.7 The Trust will create this culture by:

- (a) Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- (b) Empowering staff to share any low-level concerns
- (c) Empowering staff to self-refer
- (d) Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- (e) Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- (f) Helping to identify any weakness in the school or Trust's safeguarding system

Responding to low-level concerns

A2.8 If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- (a) Directly to the person who raised the concern, unless it has been raised anonymously
- (b) To the individual involved and any witnesses

A2.9 The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the Staff Code of Conduct. The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

Record keeping

A2.10 All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

A2.11 Records will be:

- (a) Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- (b) Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the Trust will decide on a course of action, either through

its disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harm threshold as described in Section 1 of this Annex, the Trust will refer it to the designated officer at the local authority

- (c) Retained at least until the individual leaves employment at the Trust

A2.12 Where a low-level concern relates to a supply teacher or contractor, the Trust will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

References

A2.13 The Trust will not include low-level concerns in references unless:

- (d) The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- (e) The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance