

Safeguarding Matters

FAO Headteachers, Governors, Designated Safeguarding Leads and key professionals

All Schools

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Learning from practice – Child Q

In March 2022, City and Hackney Safeguarding Children Partnership published a Local Child Safeguarding Practice Review into the case of Child Q. Child Q was a black female of secondary school age who in 2020, was stripped and searched on the school premises by officers from the Metropolitan Police. This search, which involved the exposure of Child Q's intimate body parts whilst she was menstruating, took place without an appropriate adult being present.

The school suspected Child Q of being in possession of drugs when she arrived at school as she smelt of cannabis. Her bag, blazer, scarf and shoes were searched by school staff under the [DfE guidelines](#), but no evidence of drugs was found. Staff remained concerned and went on to report the matter to the police, first via their Safer Schools Officer who recommended that the school called 101. Female officers then attended the school and strip searched her on the premises. No drugs were found during the strip search.



No appropriate adult was in attendance, school staff remained outside of the room and the child's mother was not contacted in advance.

As part of the review, Child Q herself starkly stated:

"Someone walked into the school, where I was supposed to feel safe, took me away from the people who were supposed to protect me and stripped me naked, while on my period"

"All the people that allowed this to happen need to be held responsible. I was held responsible for a smell"

"... I need to know that the people who have done this to me can't do it to anyone else ever again. In fact so NO ONE else can do this to any other child in their care."

"Things need to change with all organisations involved. Even I can see that."

You can read the review in full [here](#).

Findings of the review

Having read the review in full, a number of recommendations were made for several agencies but the key findings relating to schools are summarised below.

Review Question 1: UNCRC Compliance

Was the rationale and practice to strip search Child Q sufficiently attuned to the rights of children as set out in the relevant articles of the United Nations Convention on the Rights of the Child?

Finding 1: The school was fully compliant with expected practice standards when responding to its concerns about Child Q smelling of cannabis and its subsequent search of Child Q's coat, bag, scarf and shoes. This demonstrated good curiosity by involved staff and an alertness to potential indicators of risk.

It was clear that the school followed the DfE guidance and initially acted appropriately on their concerns. The review however has recommended that the DfE should review and revise the [Searching, Screening and Confiscation](#) guidance to include more explicit detail in relation to safeguarding and amend some of the language included. The Secretary of State for Education Nadhim Zahawi has stated that policy will be reviewed in response to this incident.

Finding 2: The decision to strip search Child Q was insufficiently attuned to her best interests or right to privacy.

The College of Policing already clearly set out the expectations for engaging an Appropriate Adult, and unfortunately they were not followed in the case of Child Q.

Finding 3: School staff deferred to the authority of the police on their arrival at school. They should have been more challenging to the police, seeking clarity about the actions they intended to take. All practitioners need to be mindful of their duties to uphold the best interests of children.

The school staff involved in this case all stated that this learning point is accurate. With hindsight, they all acknowledge that they should have challenged the Police and acted differently in order to protect Child Q. The review has recommended that training for staff should include a specific focus on reinforcing the responsibilities of practitioners to advocate for and on behalf of the children they are working with / who are in their care.

Review Question 2: Safeguarding Needs

Was practice involving Child Q sufficiently focused on her potential safeguarding needs? In circumstances where young people are being engaged due to concerns about drug use / possession, is the safeguarding of children a recognised and evidenced priority in practice?

Finding 4: School staff had an insufficient focus on the safeguarding needs of Child Q when responding to concerns about suspected drug use.

The review states that Child Q was seen as being 'the risk' as opposed to being 'at risk'. Neither the incident of the strip search or the concerns from the previous month about Child Q smelling of cannabis resulted in any contact with other agencies by school staff. The focus of both incidents appeared to be whether Child Q

had breached the rules rather than what alleged substance misuse might mean for her safety and welfare. As a result, the review recommends that where any suspicion of harm arises by way of concerns for potential or actual substance misuse, a safeguarding response is paramount. Practitioners should always contact Children's Social Care to make a referral or seek further advice in such circumstances.

Racism

Finding 8: Having considered the context of the incident, the views of those engaged in the review and the impact felt by Child Q and her family, racism (whether deliberate or not) was likely to have been an influencing factor in the decision to undertake a strip search

Child Q and her family strongly believe that the strip search was a racist incident. Her aunt was quoted in the review as saying that *"The family do not believe that the officers would have treated a Caucasian girl who was on her monthly periods in the same way."* The review made specific recommendations for training within the local area regarding adultification, however our view is that all practitioners should be more aware of this bias.

This case has highlighted that we still have a long way to go in challenging and addressing some of the biases which may impact our thinking. When reading the review and watching the news articles, most will be horrified that a child was subjected to this on school premises and would be certain that it would not happen within their setting.

In response to this case the Children's Commissioner for England Dame Rachel de Souza stated:

"We need to look at the culture that allowed this to happen. It is clear none of the professionals around this child understood the consequences of what was happening to her. No one paused to think, in front of us – first and foremost – is a child we need to protect. Sometimes we make this very complicated, but what this comes down to is: "are professionals able to think about the child, talk to them about what is happening and understand how this is being experienced by them?" In real time, not in retrospect."

Adultification bias

The review into the experiences of Child Q highlighted that a significant feature of the case may have been one of adultification bias. This concept is where adults perceive black, Asian and ethnic minority children as being older than they are. The [NSPCC](#) state that it is *"a form of bias where children from Black, Asian and minoritised ethnic communities are perceived as being more 'streetwise', more 'grown up', less innocent and less vulnerable than other children. This particularly affects Black children, who might be viewed primarily as a threat rather than as a child who needs support (Davis and Marsh, 2020; Georgetown Law Center on Poverty and Inequality, 2019)."*

[Farrer & Co](#) have published an article "[Adultification bias of black children@ Q&A with Jahnine Davis](#)" which helps to give a good understanding of what it is, and how we can reflect on our practice.

Jahnine Davis is one of the UK's leading specialists in the safeguarding of Black children – with a core focus on adultification bias. Jahnine's PhD research explores safeguarding responses to Black children when harm is outside of the home. Jahnine has over 20 years' experience of working in both the charitable and statutory safeguarding arenas. This includes her current role as a member of the National Child Safeguarding Practice Review Panel. Jahnine is the Co-Founder and Director of [Listen Up](#), a company established to amplify lesser heard voices in child safeguarding research, practice, and policy

Sexual Violence and Sexual Harassment – risk assessment

Many Liverpool schools took advantage of [The AIM Project](#) “Understanding and Managing Sexual Behaviours in Education Settings” training delivered during the Spring term. This training aimed to provide schools with an evidence based toolkit including checklists and risk assessments to support understanding and analysis of harmful sexual behaviours. The feedback received from colleagues who attended this training was outstanding.



The AIM Project

[Keeping Children Safe in Education](#) makes it clear that schools should undertake a risk assessment when there has been a report of sexual violence, and that this risk assessment will help to inform any decision making (paragraphs 444 – 446). In addition, the Ofsted Guidance [Inspecting safeguarding in early years, education and skills settings](#) states that inspectors should seek evidence that staff are confident about what to do if a child reports that they have been sexually abused by another child and the school’s safeguarding and child protection policy has clear pathways for responding to children and young people exhibiting sexual behaviours.

Schools are free to choose the type of toolkit and risk assessment they wish to use, however if your school was unable to attend any of the AIM sessions commissioned by School Improvement Liverpool and you wish to attend, you can book directly with them via [their website](#).

Sexual Harassment and Sexual Violence – a zero tolerance approach?

What does your school response to incidents of harmful sexual behaviour look like? Keeping Children Safe in Education repeatedly refers to a ‘zero tolerance approach’ to incidents of this nature, however Jenny Lloyd and Vanessa Bradbury from the Contextual Safeguarding Network have published a research paper on ‘zero tolerance in schools’. The article considers the impact of zero tolerance policies and how effective they are at reducing or preventing incidents of harmful sexual behaviours. Analysis evidenced that where schools drew on punitive and sanctions-based approaches these impacted student disclosure, limited staff decision making, and were not seen to be effective by students. Rather than zero tolerance policies, the findings evidence the need to: tackle environments where sexual harm is tolerated; consider systemic barriers to disclosure, and expand what justice means for responses to sexual harm in schools. They have provided a helpful summary which highlights the key findings and actions for schools to consider which include:

1. Before zero tolerance, schools need to tackle tolerance that staff and students show to sexual harm
2. Responses need to be proportionate, trauma-informed and tackle the systemic causes of harm
3. Schools should ask themselves, is it safe for young people to speak up? Are there barriers which stop some groups speaking?
4. Restorative approaches mean asking who was harmed? How can we prevent further harm in the future? (O’Brien 2017)

Zero Tolerance in Schools

Research findings on addressing sexual harm in schools
(Lloyd & Bradbury 2022)

KEY FINDINGS

- For schools, zero tolerance often meant sanctions and punitive approaches.
- Sexual harm **was** tolerated by students and staff in all schools.
- Zero tolerance (when interpreted as punitive) did not create safer environments.
- One school took a strong zero tolerance approach. This school reported the most frequent rates of sexual harm (compared with other schools).
- The findings suggest that zero tolerance approaches are ineffective in environments where sexual harm **is** tolerated by students and staff.

We did the research in high schools in England. For the full research while please contact us (see below)

WHAT IS ZERO TOLERANCE?

- Zero tolerance refers to **'policies that punish offenses severely, no matter how minor'** (Skiba & Peterson 1999: 373).
- While it can be well intended zero tolerance is often focussed on punishment.
- Adoption from the US to the UK in the late 80s and early 90s led to a rapid increase in student expulsions (Welch & Payne 2018).
- There is limited guidance on what is meant by a zero tolerance approach.
- Limited evidence of its effectiveness for sexual harm (Stein 2001).
- To be effective, zero tolerance policies need to tackle attitudes and be informed by those affected by the harm (see Women's Aid).
- Research shows that zero tolerance in schools disproportionately & adversely impacts students of colour (Giroux 2003), students with educational needs and disabilities (Losen et al. 2014), and those with social care involvement (Skiba & Nesting 2002).
- Zero tolerance approaches can exacerbate existing inequalities.
- Zero tolerance applies the idea that adult criminal justice is appropriate for adolescence.

Zero tolerance applies a blanket approach to the complex nature of sexual harm

FINDINGS



of students in the 'zero tolerance' school said they would not tell a teacher if sexual harm was happening.

Compared to 29% and 33% in the two other schools.

Zero tolerance placed decision-making on victims; choosing between the possible 'justice' of disclosing or possible social punishment. Students reported that the use of sanctions dissuaded them reporting.

"It's about the way the school go about it, cos I feel like it's just about punishment and that's why it sort of scares you [to tell] because he'll get punished" (student)

"Even though you know it's not right and they shouldn't be doing that, you know the school is going to take it so much more serious than it should be. We've had people get permanently excluded and no one is going to say, "Ah, the boy did something wrong," the girl's going to be known as a snitch and exaggerator (student)"

WHAT CAN SCHOOLS DO?

- 1 Before zero tolerance schools need to tackle tolerance that staff and students show to sexual harm.
- 2 Responses need to be proportionate, trauma-informed and tackle the systemic causes of harm.
- 3 Schools should ask themselves, is it safe for all young people to speak up? Are there barriers which stop some groups speaking?
- 4 Restorative approaches mean asking who was harmed? How can we facilitate healing? How can we prevent further harm in the future? (O'Brien 2017)

Find out more

For the full paper <https://www.durham.ac.uk/jenny.lloyd/vanessa.bradbury/2022/zero-tolerance-to-sexual-harm-in-schools/> from broken rules to broken systems, Journal of Sexual Aggression, DOI: 10.1080/13552600.2022.2057605

School Improvement Liverpool Safeguarding Training

Our training programme for the remainder of this academic year can be found [here](#) and includes courses such as New to the Role of Designated Safeguarding Lead, Safer Recruitment for Business Managers, the Role of the Link Governor for Safeguarding and Managing Allegations Against Adults.

The Autumn Term training programme, including the annual Headteachers' Safeguarding Briefings and DSL Refresher training, will be available to book via the website towards the end of the summer term.

Transfer of safeguarding records

As we are now in the summer term, schools should be considering the transfer of safeguarding information and files to new schools and settings ready for September. This is relevant for the common transfer points of nursery to Reception, Infant school to Junior school, Year 6 to Year 7 and Year 11 to post 16. There is detailed information about how this handover should take place within the Schools' Safeguarding Handbook, but a short summary is provided below.

When a pupil transfers to another setting the DSL is responsible for informing the DSL of the receiving school as soon as possible, in person or by telephone, that child protection records exist. The transfer of the file should take place within 5 school days of the child's attendance at the new setting being confirmed.

The original Child Protection records must be passed on by hand or where this is not practically possible due to distance, sent via special delivery. The file should be transferred separately from the child's main school file. Care must be taken to ensure confidentiality is maintained and the transfer process is as safe as possible. If the file is transferred electronically via an online management system e.g. CPOMS, school should ensure that they receive confirmation the document has been delivered.

If the child is due to transfer at the end of an academic year, it is recommended that the file is not transferred prior to the September in case there is a change to the destination setting. It is important to flag verbally during the transition phase that there are concerns relating to the child in order to ensure a smooth transition into the next phase of their school career, however the physical file should only be transferred once attendance at the new setting has been confirmed. If a school sent information relating to a pupil who was not attending the new school in September, then this potentially could be a data protection breach.

Over the course of the summer term, schools should ensure they have made contact with each child's new setting to arrange a handover conversation or meeting between the two DSL's to share key information relating to the child and ensure a smooth transition. The content of the meeting should include key information such as:

- A summary of the existing concerns
- A summary of historic concerns (if relevant)
- The current level of need and details of any plan e.g. EHAT, CIN, CP, etc.
- The name and contact details of social workers or lead professionals
- The name and contact details of other key professionals
- The next meeting dates
- Any other relevant information to aid with the child's transition

Where a destination school discovers that a Child Protection file was in existence but was not transferred and concerns were not identified or shared during transition, the matter should be formally escalated at the earliest opportunity.

We recognise that the transfer of safeguarding records is especially important at key transition points for pupils. These include:

- From Early Years settings and Childminders to Primary Schools
- Transition from Year 6 to Secondary School
- From Secondary School to Post-16 provision
- Mid-year transfers
- Transfer to another Local Authority



Transition

The S.T.A.R Standard

Safeguarding
Transfer
Agreement for
Records



Expectations



School
Improvement
Liverpool



Cheshire West
and Chester

As pupils may transition to a school or provision out of borough, The STAR Standard has been agreed by the following Local Authorities



Shared Practice



An initial conversation between the host and the receiving school should take place prior to transition.



The receiving school should then receive the safeguarding file, whether that is manually or via an online platform such as CPOMS, within 5 days for an in-year transfer or 5 days of the start of a new term.



The receiving school should sign to say that they have received the file (where it is in paper format) and this should be retained by the previous school.



All schools and settings should be honest and transparent about pupils' history, any concerns, barrier to learning as well as their strengths and achievements. This will ensure transition is robust and the pupil is well supported.