

Safeguarding and Promoting the Welfare of Children

REGULATIONS AND STANDARDS

PART 3: Welfare, Health and safety

To be read in conjunction with:

Allegations against staff Policy

Whistleblowing Policy

Behaviour Policy

Anti-bullying Policy

Prevent Duty Policy

Reviewed: 1st April 2017

Introduction

The school recognises its legal duty under s175 Education Act 2002 and the 1989 Children Act and takes seriously its responsibilities to protect and safeguard the interests of all children. Hopedale recognises that effective child protection work requires sound procedures, good inter-agency co-operation and a workforce that is competent and confident in responding to child protection situations.

These procedures provide the basis for good practice within the school for Child Protection work. It should be read in conjunction with Staffordshire Safeguarding Children Board Inter-Agency Child Protection Policies and Procedures, Working Together to Safeguard Children Guidance (Feb 2017) and Keeping Children Safe in Education (Sept 2016). These documents reflect what the Directorate considers to be safe and professional practice in this context. Child Protection has to be considered within professionals' wider "safeguarding" responsibilities that include a duty to co-operate under the Children Act 2004. Within the context of Every Child Matters, this takes account of the need for children "being healthy and staying safe".

These procedures aim to provide a framework which ensures that all practice in the area of child protection is consistent with stated values and procedures that underpin all work with children and young people.

This document also seeks to make the professional responsibilities clear to all staff to ensure that statutory and other duties are met in accordance with Staffordshire Safeguarding Children Board requirements and procedures.

Underpinning values

Where there is a safeguarding issue, the school will work in accordance with the principles outlined in the Staffordshire Safeguarding Children Board Inter-agency Child Protection procedures:

- A child's welfare is paramount. Each child has a right to be protected from harm and exploitation and to have their welfare safeguarded.
- Each child is unique. Action taken by child welfare organisations should be child-centred, taking account of a child's cultural, ethnic and religious background, their gender, their sexual orientation, their individual ability and any special needs.

- Children, parents and other carers should be made aware of their responsibilities and their rights, together with advice about the power of professionals to intervene in their family circumstances.
- Each child has a right to be consulted about actions taken by others on his/her behalf. The concerns of children and their families should be listened to and due consideration given to their understanding, wishes and feelings.
- Individual family members must be involved in decisions affecting them. They must be treated with courtesy and respect and with due regard given to working with them in a spirit of partnership in safeguarding children's welfare.
- Open-mindedness and honesty must guide each stage of assessment and of operational practice. The strengths of individual family members, as well as their needs, should be given due consideration.
- Personal information is usually confidential. It should only be shared with the permission of the individual concerned, or unless the disclosure of confidential personal information is necessary in order to protect a child. In all circumstances, information must be confined to those people directly involved in the professional network of each individual child and on a strict "need to know" basis.
- Professionals should be aware of the effects of outside intervention upon children, upon family life and the impact and implications of what they say and do.
- Explanations by professionals to children, their families and other carers should be plainly stated and jargon-free. Unavoidable technical and professional terminology should be explained in simple terms.
- Sound professional practice is based upon positive inter-agency collaboration, evidence-based research and effective supervision and evaluation.
- Early intervention in providing support services under Section 17 of the Children Act (1989) is an important principle of practice in inter-agency arrangements for safeguarding the welfare of children.

Guidance on 'Whether this is a Child Protection Matter'

If staff have significant concerns about any child they should make them known to the Designated or Deputy Designated Child Protection Staff. If these staff members are not available then the person with the significant concern should report directly to social care or the police. These concerns may include:

Physical abuse:

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

Emotional abuse:

Is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development? It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These

may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Neglect:

Is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

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

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

Sexual abuse

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

There are three thresholds for and types of referral that need to be considered:

Is this a child with additional needs where their health, development or achievement may be adversely affected? Staffordshire Children and Young People's Framework says practitioners should complete an Early Help Assessment (EHA) when:

- Age appropriate progress is not being made and the causes are unclear or
- The support of more than one agency is needed to meet the child or young person's needs.

If this is a child with additional needs discuss the issues with the CAF trained practitioner in your organisation, the child and parents. You will need to obtain parental consent for a CAF to be completed.

Is this child in need? s17 of the Children Act 1989 says:

- they are unlikely to achieve or maintain, or to have opportunity to achieve or maintain a reasonable standard of health or development, without the provision of services by a local authority.
- their health or development is likely to be impaired, or further impaired without the provision of such services.
- they are disabled.

Is this a child protection matter? s47 of the Children Act 1989 says:

- children at risk or who are suffering significant harm
- children suffering the effects of significant harm
- serious health problems

If this is a child in need, discuss the issues with the designated child protection teacher and parents. Obtain their consent for referral to First Response (see below) or any other agency. These issues should not be discussed with parents and consent for referral should not be obtained if in doing so the child is placed at significant risk of harm.

Consent: Whilst professionals should in general discuss any concerns with the young person, their parents / carers and where possible seek their agreement to making referrals to Staffordshire Children's Social Care Services, this should only be done where such discussion and agreement-seeking will not place the child or others at increased risk of suffering significant harm. Consent / agreement is not required for child protection referrals; however you, as the referring professional, would need to where possible discuss with and inform parents or carers that you are making a referral as stated above, unless by alerting them you could be putting that child or others at risk.

If this is a child protection matter, this should be discussed with the designated teacher or safeguarding officer and will need to be referred to First Response as soon as possible.

It is the 'significant harm' threshold that justifies statutory intervention into family life. A professional making a child protection referral under S.47 must therefore provide information which clearly outlines that a child is suffering or likely to suffer significant harm.

It is not possible to rely on one absolute criterion when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the extent of the harm suffered, the context within which it occurred and its duration.

Significant harm may also arise from a combination of significant events which are both acute and long standing and which may impair the child's physical, psychological and social development.

In order to both understand and establish significant harm, it is necessary to consider the family context, together with the child's development within their wider social and cultural environment. It is also necessary to consider any special needs, e.g. medical condition, communication difficulties or disability that may affect the child's development and care within the family. The nature of harm, in terms of ill-treatment or failure to provide adequate care

also needs consideration alongside the impact on the child's health and development and the adequacy of care provided.

Making referrals

Where a child is registered at school, consultation should take place with the school's Designated Safeguarding Lead (or deputy) who will often be the most appropriate person to initiate any referral. A written record of your concerns should be made using the schools internal recording form. This should then be given to the Designated Safeguarding Lead who will then make the decision if a referral is needed to the First Response Team (Staffordshire families). If a Designated Safeguarding Lead or Deputy is unavailable, then you should make this referral yourself to social care and/or the police, if you feel that the child is at risk of significant harm.

For referral to First Response phone 0800 1313126 and speak to the operator. You will need to follow this up with written confirmation on the Multi-agency referral form.

Staffordshire County Council's First Response Service in the M.A.S.H:
0800 1313 126 Mobile: 07773 792016(Monday-Thursday 08:30am - 5:00pm and
Friday 08:30am - 4:30pm) E-mail: firstr@staffordshire.gov.uk

Emergency Duty Service: (Out of Hours Service): 0845 6042886 / 07815 492613

Authority equivalents:

Stoke-on-Trent -Advice and Referrals Team01782 235100, Out of hours (17:00-08:30) – 01782 234234

Cheshire East - [Cheshire East Consultation Service \(ChECS\)](#) on 0300 123 5012, or [Out of Hours Service](#) on 0300 123 5022

Confidentiality

Confidentiality is an issue that needs to be understood by all those working with children, particularly in the context of child protection. This is a complex area and involves consideration of a number of pieces of legislation.

You can never guarantee confidentiality to a child as some kinds of information may need to be shared with others. A suggested form of words that may help when talking to children is as follows:

“I will keep our conversation confidential and agree with you what information I can share, unless you tell me something that will affect your personal safety or that is illegal, but I will tell you if I am going to pass information on and who to.”

Professionals can only work together to safeguard children if there is an exchange of relevant information between them. This has been recognised in principle by the courts. However, any disclosure of personal information to others, included social service departments, must always have regard to both common and statute law.

Normally, personal information should only be disclosed to third parties (including other agencies) with the consent of the subject of that information (Data Protection Act 1998 European Convention on Human Rights, Article 8). Wherever possible consent should be obtained before sharing personal information with third parties. In some circumstances, however, consent may not be possible or desirable but the safety and welfare of the child dictate that the information should be shared.

The law requires the disclosure of confidential information necessary to safeguard a child or children. Under Section 47 of the Children Act 1989 statutory agencies have a duty to co-operate. Therefore, if the Police or Social Care/Services are conducting a Section 47 investigation under the 1989 Children Act, staff must share requested information relevant to the investigation. Legal advice should be sought if in doubt from the County Legal Services Department.

Talking to and listening to children

If a child chooses to disclose, you SHOULD:

- be accessible and receptive;
- listen carefully and uncritically at the child's pace;
- take what is said seriously;
- reassure the child that they are right to tell;
- tell the child that you must pass this information on;
- make a careful record of what was said.

You should NEVER:

- take photographs or examine an injury;
- investigate or probe aiming to prove or disprove possible abuse – never ask leading questions;
- make promises to children about confidentiality or keeping 'secrets';
- assume that someone else will take the necessary action;
- jump to conclusions or react with shock, anger or horror;
- speculate or accuse anybody;
- confront another person (adult or child) allegedly involved;
- offer opinions about what is being said or about the persons allegedly involved;
- forget to record what you have been told;
- fail to pass the information on to the correct person;
- ask a child to sign a written copy of the disclosure.

For children with communication difficulties or who use alternative/augmented communication systems, you may need to take extra care to ensure that signs of abuse and neglect are identified and interpreted correctly, but concerns should be reported in exactly the same manner as for other children.

Record keeping

Well-kept records are essential in situations where it is suspected or believed that a child may be at risk from harm.

Records should:

- state who was present, time, date and place
- use the child's words wherever possible
- be factual/state exactly what was said
- differentiate clearly between fact, opinion, interpretation, observation and/or allegation
- be written in ink and signed by the recorder

Attendance at Child Protection Conferences

The Designated Safeguarding Lead or their deputy will be expected to attend the initial Child Protection Conference.

If a child is made subject to a Child Protection Plan it may be more relevant for the class teacher or head of year to attend the subsequent core group meetings.

Protecting yourself against allegations of abuse

You should seek to keep your personal contact with children under review and seek to minimise the risk of any situation arising in which misunderstandings can occur. The following sensible precautions can be taken when working alone with children:

- work in a room where there is a glass panel in the door or leave the door open
- make sure that other adults visit the room occasionally
- avoid working in isolation with children unless thought has been given to safeguards
- must not give out personal mobile phone numbers or private e-mail addresses
- must not arrange to meet them outside of working hours
- must not chat to pupils on the social websites

Under the Sexual Offences Act 2003 it is a criminal offence for anyone working in an education setting to have a sexual relationship with a pupil even when the pupil is over the age of consent.

Any use of physical force or restraint against pupils will be carried out and documented in accordance with the relevant physical restraint policy. If it is necessary to use physical action to:

- prevent a child from injury to themselves or others
- significant damage to property
- maintain good order and discipline

Children will not be punished by any form of hitting, slapping, shaking or other degrading treatment.

Allegations of abuse against a professional

Children can be the victims of abuse by those who work with them in any setting. All allegations of abuse of children carried out by any staff member or volunteer should therefore be taken seriously.

If an allegation is received by the Headteacher, Registered Manager or School advisors the following should be considered:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

Allegations of abuse made against staff, whether historical or contemporary, should be dealt with by the Headteacher not the designated child protection teacher (if the allegation is against the Head then it should be dealt with by the board of directors). The Head / board of directors should contact the Local Authority Designated Officer (LADO) 01785 278997 West Division, 01785 278958 East Division or 01785 278640 to discuss the allegation.

This initial conversation will establish the validity of any allegation and if a referral is needed to First Response. If this is the case a strategy meeting will be called that the Head / Directors should attend.

The decision of the strategy meeting could be:

- investigation by children's social care
- police investigation if there is a criminal element to the allegation
- single agency investigation completed by the school which should involve the Schools Senior HR advisor

The fact that a member of staff offers to resign should not prevent the allegation procedure reaching a conclusion.

Recruitment, supervision and training for staff

When recruiting new members of staff, the school follows the guidance given in the Safeguarding Children: Safer Recruitment in Education. Hopedale ensures that DBS checks are undertaken and that references are taken up and obtained and that qualifications are verified. This information will be held on a single central record.

Newly appointed staff will have initial training in Child Protection as part of their induction programme. The initial Child Protection training given to each member of the service will be fully updated every three years and recorded. They will be given a copy of the Safeguarding Policy and staff handbook. All staff also attend safeguarding updates/role-play sessions annually.

The Designated Safeguarding Lead and Deputies have attended level 3/further training and meet termly for safeguarding updates/practice and system reviews

E-Safety

Each class teacher and senior member of staff receive quality training in e-safety.

The growth of different electronic media in everyday life and an ever developing variety of devices including PC's, laptops, mobile phones, webcams etc... place an additional risk on our children.

Internet chat rooms, discussion forums or social networks can all be used as a means of contacting children and young people with a view to grooming them for inappropriate or abusive relationships. The anonymity of the internet allows adults, often pretending to be children, to have conversations with children and in some cases arrange to meet them.

Access to abusive images is not a 'victimless' act as it has already involved the abuse of children. The internet has become a significant tool in the distribution of indecent photographs of children and should be a concern to all those working with children.

Children can engage in or be a target of bullying using a range of methods including text and instant messaging to reach their target. Mobile phones are also used to capture violent assaults of other children for circulation (happy slapping).

The best protection is to make pupils aware of the dangers through curriculum teaching particularly PSHE and sex education.

Protection is Prevention

- Software is in place to minimise access and to highlight any person accessing inappropriate sites or information.
- Pupils will be encouraged to discuss openly their use of technology and anything which makes them feel uncomfortable. (If this results in child protection concerns the Designated Safeguarding Lead should be informed immediately)
- Pupils should not give out their personal details, phone numbers, schools, home address, computer passwords etc
- Pupils should adhere to the policy on mobile phones.

The police will be involved if there is any criminal element to misuse of the internet, phones or any other form of electronic media.

Female Genital Mutilation

Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM.

There is a range of potential indicators that a girl may be at risk of FGM. Warning signs that FGM may be about to take place, or may have already taken place, can be found in the Multi-agency statutory guidance on FGM (April 16)

Actions

If staff have a concern they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Mandatory reporting commenced in October 2015 and these procedures remain when dealing with concerns regarding the potential for FGM to take place. Where a teacher discovers that an act of FGM appears to have been carried out on a girl who is aged under 18, **there will be a statutory duty upon that individual to report it to the police.**

Teachers must report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the school's designated safeguarding lead and involve children's social care as appropriate. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies.

Links with other policies

1. This procedures document should also be considered within the context of other policies and documents relating to our work with children and young people. These might include, for example, documents concerning drug and alcohol abuse, domestic violence, neglect and families where there are mental health concerns.

2. Key documents are:

- Use of restrictive physical intervention policy
- Safeguarding Children: Safer Recruitment in Education: January 2007
- Every Child Matters
- Behaviour Policy
- Anti Bullying policy
- Whistle Blowing policy
- Multi-agency Statutory Guidance on FGM (Apr 2016)
- Working Together to Safeguard Children (Feb 2017)
- Keeping Children Safe in Education (Sept 2016)

Resources

Safeguarding is important to all members of staff.

The Headteacher has to ensure that sufficient resources are made available to enable the necessary tasks to be carried out properly under the procedures outlined in this policy, including attending meetings, collating and writing assessment reports, and staff training. The Headteacher will also ensure that all School advisors have an understanding of safeguarding issues and that policies and procedures are in place to safeguard and promote the welfare of all pupils.

Safeguarding awareness will be addressed through the curriculum as appropriate to ensure all the pupils understand what is meant by safeguarding and how they can be safe.

**The Designated Safeguarding Leads are Amy Hopkin and Sarah-Jane Cuncannon Edwards
The Deputy Safeguarding Leads are Hannah Holford, Chris Madden and April Palmer.**