

Basil Paterson School's Safeguarding & Child Protection Policy

Introduction

The Basil Paterson Safeguarding and Child Protection Policy applies to all adults, including volunteers working on behalf of Basil Paterson Middle School. This Policy is based the following guidance:

Children and Young People Act (Scotland) 2014
National Guidance for Child Protection in Scotland 2014
SCIS Guidance on Wellbeing and Child Protection 2015
A guide to Getting it right for every child 2012

Ensuring the well-being of young people is at the heart of what we do at Basil Paterson Middle School. Everybody working on behalf of Basil Paterson Middle School will contribute to keeping young people safe by:

- **Promoting the wellbeing of young people**
- **Keeping children and young people safe**
- **Putting the child at the centre.**
- **Taking the whole child approach**
- **Building on strengths and promoting resilience**
- **Promoting opportunities and valuing diversity**
- **Providing additional help which is appropriate, proportionate and timely, considering short and long-term needs**
- **Working in partnership with families**
- **Supporting informed choice**
- **Respecting confidentiality and sharing information**
- **Promoting the same values across all working relationships**
- **Making the most of bringing together each worker's expertise**
- **Coordinating help to develop and promote effective working relationships with other agencies, especially the police and social care services**
- **Building a competent workforce to promote children's and young people's wellbeing**

Our Values

At Basil Paterson School we value:

Positivity - We treat all our pupils well, forming positive and supportive relationships. We are committed to engendering positive values in all learners which they can take with them into wider society.

Potential - We believe that all young people have the ability to achieve great things. Whatever the starting point of a learner we encourage everyone to strive for success and push the limits of their learning to fulfil their potential.

Ambition - We challenge learners to achieve success through clear goal setting and encourage pupils to work outside their comfort zone to reach these goals.

Respect - We have a culture of achievement and respect in which pupils are supported to overcome barriers, problem solve and help others.

Integrity - In all our interactions with parents and pupils we are honest. We act with integrity and transparency.

Flexibility - We offer an approach to learning which is adaptable and can be moulded around the learners' abilities, needs and personal circumstances.

1. Getting it Right For Every Child: Children and Young People (Scotland) Act 2014

All children and young people have the right to be cared for, and protected from, harm and abuse and to grow up in a safe environment in which their rights are respected and their needs met. At the heart of the GIRFEC approach is early, proactive intervention in order to create a supportive environment and identify any additional support that may be required for a child as early as possible. GIRFEC places children's and young people's needs first, ensures that they are listened to and understand decisions which affect them and that they get more co-ordinated help where this is required for their wellbeing, health and development.

2. GIRFEC values and principles

GIRFEC is underpinned by common values and principles which apply across working with children and young people. Basil Paterson Middle School shares these principles, and these are:

- promoting the wellbeing of individual children and young people; this is based on understanding how children and young people develop in their families and communities and addressing their needs at their needs at the earliest possible time;
- keeping children and young people safe: emotional and physical wellbeing is fundamental and is wider than child protection;
- putting the child at the centre: children and young people should have their views listened to and they should be involved in decisions that affect them;
- taking the whole child approach: recognising that what is going on in one part of a child or young person's life can affect many other areas of his or her life.
- building on strengths and promoting resilience: using a child or young person's existing networks and support where possible;
- promoting opportunities and valuing diversity: children and young people should feel valued in all circumstances and practitioners should create opportunities to celebrate diversity;
- providing additional help which is appropriate, proportionate and timely, considering long and short term needs;
- working in partnership with families: supporting wherever possible those who know the child or young person well, know what they need, what works well for them and what might be helpful;
- supporting informed choice: supporting children young people and families in understanding what help is possible and what their choices are;
- respecting confidentiality and sharing information: seeking agreement to share information that is relevant and proportionate while safeguarding children's and young people's right to confidentiality;
- promoting the same values across all working relationships: recognising the respect, patience, honesty, reliability, resilience and integrity are qualities valued by children, young people, their families and colleagues;
- making the most of bringing together each worker's expertise: respecting the contribution of others and co-operating with them, recognising that sharing responsibility does not mean acting beyond a worker's competence or responsibilities;
- coordinating help: recognising that children, young people and their families need practitioners to work together, where appropriate, to promote the best possible help;
- building a competent workforce to promote children's and young people's wellbeing, who are committed to contributing individual learning and development and improvement of inter-professional practice.

3. What is wellbeing?

Wellbeing is defined as every child and young person's right to be safe, healthy, achieving, nurtured, active, respected, responsible and included.

4. What is a wellbeing concern?

A child or young person has a wellbeing need if their wellbeing is, or is at risk of, being adversely affected by any matter. A wellbeing concern may be identified by the young person, and can be identified for many reasons, such as (but not limited to) the following:

- a child or young person may be worried, anxious or upset about an event or set of circumstances;
- a parent/carer may have noticed a change in the child or young person's behaviour, demeanour or developmental progress;
- a parent/carer may have concerns about the impact on their child of an event or set of circumstances;
- a practitioner may have concerns for a child or young person's health, or may have noticed a change in their behaviour, demeanour, developmental progress or level or achievement;

5. GIRFEC: The National Practice Model

(appendix 3)

The National Practice Model promotes the participation of children, young people and families in gathering and interpreting information and in making decisions as central to assessing, planning and taking action. The components of the practice model have been designed to ensure that assessment information about children and young people is recorded in a consistent way by all agencies. This should help to provide a shared understanding of a child's or young person's needs and identify concerns that may need to be addressed. The model and the tools which support it can be used by workers in adult and children's services and in single or multi-agency contexts. The main components in the practice model are:

1. The Wellbeing Indicators
2. The Five Questions
3. The My World Triangle
4. The Resilience Matrix
5. The Child's Plan

Senior Management should use these components proportionately to identify and meet the child or young person's needs:

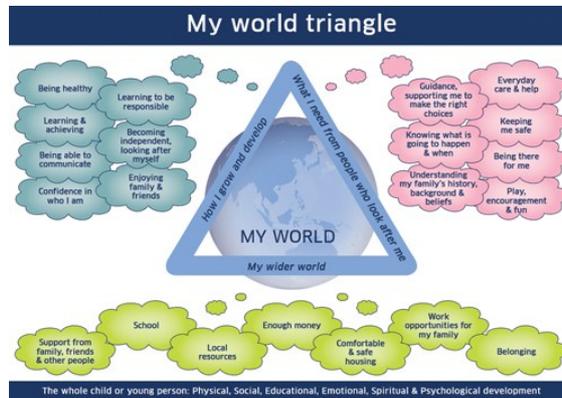
- Use the wellbeing indicators to identify a concern, record, share information and take appropriate action
- Ask yourself the five questions.
- Use the My World Triangle, and where appropriate specialist assessments to explore known information, and where necessary gather more information about the strengths and pressures in the child's world.
- Analyse the information, using the Resilience Matrix to aid clarity where required.
- Summarise needs against Wellbeing Indicators.
- Agree outcomes and the steps required to reach these outcomes.
- Construct a Child's Plan and take appropriate action.
- Review the plan.

6. Wellbeing Indicators: Seven indicators have been identified as areas in which children need to progress in order to do well, now and in the future.
(See appendix 2)

7. The Five Questions

1. What is getting in the way of this child or young person's wellbeing?
2. Do I have all the information I need to help this child or young person?
3. What can I do now to help this child or young person?
4. What can the school do to help this child or young person?
5. What additional help, if any, may be needed from others?

8. The My World Triangle



9. The Resilience Matrix

See appendix 4

10. The Child Plan

The Child's Plan will set out the child's and young person's needs, the actions taken to meet these needs, who will undertake those actions and the desired outcomes. There are two main considerations in deciding if a child requires a Child's Plan. The first is based on an assessment of wellbeing. The child must be assessed as having a wellbeing need in terms of the definition of wellbeing within the Children and Young People (Scotland) Act 2014. The second consideration relates to the support judged necessary to meet the identified wellbeing need. A wide range of children may present with a wellbeing need at some points in their lives and these can most often be met by support from their family, and the support generally available within the school and health services.

The Head of Secondary Education will review these plans with the Academic Manager, parents, pupil and other agencies where appropriate. These plans are stored securely at Basil Paterson Middle School.

11. Main Point of contact

The Head of school/CPC is the first point of contact for children and families and for other agencies when there are concerns about a child. The Head/CPC is usually the person to initiate action if a child needs extra help, and is critical in supporting early intervention.

12. Reporting a concern about a pupil at Basil Paterson Middle School

- Speak to the Academic Manager - Dean Mohammad (or Head of Secondary Education – Claire Samuel)
- Cause for Concern form completed by The Head of Secondary/Academic Manager
- Information shared with Named Person – Claire Samuel
- Wheel and My World Triangle used to assess risks and needs of pupil
- Pupil's opinion/Parent's opinion (where applicable)
- Pupil Plan created by Head and Academic Manager.
- Weekly meetings Academic Manager and Named Person to assess progress of plan.

13. Record Keeping

Any Wellbeing concern form should be kept in an individual folder for each pupil and kept separate from the Pupil's Education Record. It should be clearly cross referenced and marked confidential and held in accordance with data protection arrangements. Head of Secondary and Academic Manager have access to these records. They should be shared with staff on a need to know basis.

14. GIRFEC and Child Protection

Where a child is thought to be at risk of significant harm, the primary concern will be for their safety and a Child Protection referral should be initiated. In child protection cases, the role of the Lead Professional will typically be taken by the local authority social worker. Where a child is believed to be at risk of significant harm, the Child's Plan is called the 'Child Protection Plan' for as long as the risk of significant harm is deemed to last. The multi-agency group working with the child and their family is known as the core group.

15. What is Child Protection?

'Child protection' means protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect. Equally, in instances where a child may have

been abused or neglected but the risk of future abuse has not been identified, the child and their family may require support and recovery services but not a Child Protection Plan.

16. What is harm and significant harm in a Child Protection Context?

'Harm' means the ill treatment or the impairment of the health or development of the child, including, for example, impairment suffered as a result of seeing or hearing the ill treatment of another. In this context, 'development' can mean physical, intellectual, emotional, social or behavioural development and 'health' can mean physical or mental health. Whether the harm suffered, or likely to be suffered, by a child or young person is 'significant' is determined by comparing the child's health and development with what might be reasonably expected of a similar child.

Child protection is closely linked to the risk of significant harm. 'Significant harm' is a complex matter and subject to professional judgement based on a multi-agency assessment of the circumstances of the child and their family. Where there are concerns about harm, abuse or neglect, these must be shared with the relevant agencies so that they can decide together whether the harm is, or is likely to be, significant.

Significant harm can result from a specific incident, a series of incidents or an accumulation of concerns over a period of time. It is essential that when considering the presence or likelihood of significant harm that the impact (or potential impact) on the child takes priority and not simply the alleged abusive behaviour.

17. Responding to Child Protection concerns about a child or young person.

Teaching staff play a crucial role in the support and protection of children as well as the development of their well-being. Teachers are likely to have significant day-to-day contact with children and so are well placed to observe physical and psychological changes in a child that could indicate abuse and to contribute to the assessment of vulnerable children. Teaching staff may be the first to be aware that families are experiencing difficulties in looking after their children. Staff should be alert to signs that a child may be experiencing significant harm.

18.1 How Concerns may Arise

Concerns about child abuse may arise in the following circumstances:

- a member of staff has concerns arising from an observation of the child's behaviour or appearance, or comments the child has made;
- a child tells a member of staff they have been abused or feel unsafe;
- a third party expresses concerns to a member of staff: this could be another pupil, a parent or carer or member of the public;
- an anonymous allegation is received;
- historical abuse. It is also possible that a school's cooperation might be sought in relation to a child abuse investigation which was initiated outside the school.

18.2 A Member of Staff has Concerns or a Child Tells of Abuse

The suspicions of a staff member may be aroused by the presence of indicators of possible abuse or by a feeling, based on knowledge of the child, that all is not well, or by a mixture of factors. It may be appropriate for a member of staff to make an enquiry of a child about how an obvious injury was sustained, or why the child appears upset or distressed using open-ended non leading questions. For example: 'What happened?' 'Where did it happen?' 'When did it happen?' and 'Who did it?' If the child does not respond, the matter should not be pursued further and advice should be sought. Questioning and testing of evidence is not a matter for school staff, as this is the responsibility of the police and social work agencies. Such an approach by staff could prejudice later investigations.

The role of school staff is to **recognise, respond, report and record**:

Recognise when a child's behaviour and demeanour is a cause for concern and **respond**.

Report their concerns as quickly as possible on the same working day to one of the Child Protection Coordinators (Dean Mohammad/Claire Samuel)

Record in detail what they have seen and heard, and when they did so. Signs of physical injury should be recorded in detail.

Any comment by the child concerned, or by an adult who might be the abuser, about how the injury occurred should be recorded, preferably quoting words actually used, as soon as possible after the comment has been made, and sign and date the report on the day.

Staff should:

1. Listen sympathetically and with care.
2. Reassure the child that he/she is not to blame.
3. Not show disbelief.
4. Not give a guarantee of confidentiality.
5. Take the allegation seriously.
6. Affirm the child's feelings as expressed (don't tell the child how he/she should feel).
7. Avoid being judgemental about the information given by the child.
8. Refer to the Child Protection Co-ordinator in accordance with school procedures.

If the child draws back from speaking to the staff member, the child should be informed of the possibility of making a private and confidential telephone call to ChildLine on 0800 1111. ChildLine's approach is to listen to the child, discuss options and encourage the child to seek help from a trusted adult.

A member of staff who is concerned about a child in these circumstances should inform the Child Protection Co-ordinator that the child appears to have some concerns. Where the concerns are expressed by another pupil, it should be remembered that reporting suspicions of abuse may be traumatic for that child and appropriate support should be provided.

General points on how to respond to a young person wanting to talk about abuse:

- Show acceptance of what the young person says (however unlikely the story may sound).
- Keep calm.
- Look at the young person directly.
- Be honest.
- Tell the young person you will need to let someone else know – don't promise confidentiality.
- Even when a young person has broken a rule, they are not to blame for the abuse.
- Be aware that the young person may have been threatened or bribed not to tell.
- Never push for information. If the young person decides not to tell you after all, then accept that and let them know that you are always ready to listen.

Helpful things to say:

- I understand what you are saying.
- Thank you for telling me.
- It's not your fault.
- I will pass this on.

Things not to say:

- Why didn't you tell anyone before?
- I can't believe it!
- Are you sure this is true?

- Why? How? When? Who? Where?
- Never make false promises.
- Never make statements such as 'I am shocked, don't tell anyone else'.

At the end of the conversation:

- Reassure the young person that they were right to tell you and show acceptance.
- Let the young person know what you are going to do next and that you will let them know what happens.
- Contact the appropriate senior member of staff.
- Consider your own feelings and seek pastoral support if needed.

18.3 A Third Party Expresses Concern

Research suggests that some adults see schools as a preferred contact point if they have concerns about the wellbeing or safety of a child either in the school their child attends or at another school. Parents in conflict may also share concerns about their partner with school staff. In some circumstances, therefore, school staff will find themselves receiving external information that indicates possible child abuse. In these circumstances it is important that, as with children disclosing, staff listen carefully and sympathetically, treat the matter seriously and as soon as is practically possible on the day, record, sign and date the information.

They should also explain to the person that they cannot give a guarantee of confidentiality. Where the contact wishes to remain anonymous, the member of staff should refer the concerns to the Child Protection Co-ordinator who should explain to the referrer the actions that will be taken as set out above.

As with a direct approach, a member of staff to whom a third party expresses concern should:

RECOGNISE, RESPOND, REPORT and RECORD

Actual words used should be quoted where possible. **Record** the behaviour and demeanour of the person expressing the concerns, where this is done in person. Those expressing the concerns may seek from the staff member a guarantee of confidentiality. No absolute guarantee of confidentiality can be given. The information disclosed may be of such a nature that the staff member must pass it on in order to protect a child. Whilst it may be possible to a certain extent to protect the identity of the person expressing concerns, it will be easier to take action to protect the child if that person is willing to be identified. If legal proceedings follow, it may be necessary to disclose the identity of that person.

In all circumstances, the Child Protection Co-ordinator must ensure that the information is shared with other relevant agencies (health, police, social services), so that an early assessment can be made of any potential/actual harm to the child and whether further child protection enquiries are necessary.

18.4 An Anonymous Allegation is Received

Staff in receipt of anonymous allegations about child abuse, whether that child is a pupil in school or not, should: Record in writing the words used, so far as possible, where the allegation is by telephone, or retain the paper, where it is in writing. Report the matter to the Child Protection Co-ordinator - Claire Samuel.

18.5 Checklist for Staff

In all cases if: you suspect a child may have been abused or is at risk of abuse or significant harm you should **RECOGNISE, RESPOND, REPORT** and, **R E C O R D**.

Respond without showing signs of disquiet, anxiety or shock. Enquire casually about how an injury was sustained or why a child appears upset. Confidentiality should not be promised to children or to adults.

Observe carefully the behaviour or demeanour of the child or the person expressing concern.

Report to the Child Protection Co-ordinator on the same day and record in detail what you have seen and heard. Do not interrogate or enter into detailed investigations; rather encourage the child to say what he or she wants to establish the basic facts. And then **REPORT** to the Child Protection Co-ordinator (CPC) on the same day as the concerns arise.

REMEMBER – Record and report on the same working day. Ideally both a paper (signed and dated) and electronic copy should be kept. It is important to ensure that both electronic and paper filing systems are safe and secure and accessible only to designated individuals. Where no such person or senior member of staff is available, staff must (without delay) refer their concern to social work or police.

19. Child Protection Register

All local authorities are responsible for maintaining a central register of all children – including unborn children – who are the subject of an inter-agency Child Protection Plan. The local authority may have its own register or maintain a joint register with other authorities. This is called the Child Protection Register. The register has no legal status but provides an administrative system for alerting practitioners that there is a sufficient professional concern about a child to warrant an inter-agency Child Protection Plan.

Local authority social work services are responsible for maintaining a register of all children in their area who are subject to a Child Protection Plan, though the decision to put a child on the register will be based on a multi-agency assessment which should involve, where relevant, education staff. The Child Protection Register provides a central resource for practitioners concerned about a child's safety or care. The decision to place a child's name on the register should be taken following a Child Protection Case Conference where there are reasonable grounds to believe or suspect that a child has suffered or will suffer significant harm from abuse or neglect, and that a Child Protection Plan is needed to protect and support the child. All participants at a CPCC with significant involvement with the child/family have a responsibility to contribute to the decision as to whether or not to place the child's name on the Child Protection Register.

The local authority should inform the child's parents or carers and, where the child has sufficient age and understanding, the child, orally and in writing, about the information held on the register and who has access to it.

20. What is child abuse and child neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. Assessments will need to consider whether abuse has occurred or is likely to occur.

The following definitions show some of the ways in which abuse may be experienced by a child but are not exhaustive, as the individual circumstances of abuse will vary from child to child.

20.1 Physical Abuse

Physical abuse is the causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after.

The Law and Parental Chastisement:

The Criminal Justice (Scotland) Act 2003 clarifies that a person may claim that an act was physical punishment carried out in exercise of a parental responsibility or of a right derived from having charge or care of a child. Courts will need to consider: the nature of what was done, the reason for it and the circumstances in which it took place; its duration and frequency; any effect whether physical or mental which it has been shown to have had on the child; the child's age; the child's personal characteristics including sex and state of health at the time; the intent of the parent or carer. The the court must determine that it was not something that even as part of a parental right or responsibility could be determined to be a justifiable assault.

20.2 Emotional Abuse

Emotional abuse is persistent emotional neglect or ill treatment that has severe and persistent adverse effects on a child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may involve the imposition of age- or developmentally-inappropriate expectations on a child. It may involve causing children to feel frightened or in danger, or exploiting or corrupting children. Some level of emotional abuse is present in all types of ill-treatment of a child; it can also occur independently of other forms of abuse.

20.3 Sexual Abuse Sexual abuse is any act that involves the child in any activity for the sexual gratification of another person, whether or not it is claimed that the child consented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or in watching sexual activities, using sexual language towards a child or encouraging children to behave in sexually inappropriate ways.

20.4 Neglect

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. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or to ensure access to appropriate medical care or treatment. It may also include neglect of, or failure to respond to, a child's basic emotional needs. Neglect may also result in the child being diagnosed as suffering from non-organic failure to thrive where they have significantly failed to reach normal weight and growth or development milestones, and where physical and genetic reasons have been medically eliminated.

In its extreme form, children can be at serious risk from the effects of malnutrition, lack of nurturing and stimulation. This can lead to serious long-term effects such as greater susceptibility to serious childhood illnesses and reduction in potential stature. With young children in particular, the consequences may be life-threatening within a relatively short period of time.

20.5

21. Child Protection Plan

When a Child's Plan incorporates a Child Protection Plan this should be set out in detail:

- the perceived risks and needs;
- what is required to reduce these risks and meet those needs; and
- who is expected to take any task forward including parents or carers and the child themselves.

Children and their families need to understand clearly what is being done to support them and why. In addition, Child Protection Plans need to identify clearly:

- the agreed outcomes for the child or young person;
- key people involved and their responsibilities, including the Lead Professional and named practitioners
- timescales;
- supports and resources required
- the longer term needs of the child or young person;
- the process of monitoring and review; and
- any contingency plans.

Responsibility is shared for the Child Protection Plan. Each person involved should be clearly identified, and their role and responsibilities set out. To preserve continuity for the child and their parent(s)/carer(s), arrangements should be made to cover the absence through sickness or holidays of key people. All Child Protection Plans where there are current risks should have specific cover arrangements built in to make sure that work continues to protect the child. Plans should also include whether there may be a need for Compulsory Measures of Supervision. As part of this continuity, children and young people who are on the Child Protection Register should not be excluded from school unless there is a multi-agency discussion to identify risk factors and strategies to address these. Any interventions should be proportionate and clearly linked to a desired outcome for the child. Progress can only be meaningfully measured if the action or activity has had a positive impact on the child.

Participants should receive a copy of the agreed Child Protection Plan within 5 calendar days of the CPCC. It is recognised that a full comprehensive risk assessment may not be achievable within the timescales of the initial CPCC or the first core group. Therefore, it should be recognised that the early Child Protection Plan may need to be provisional until a fuller assessment can be undertaken.

22. Information Sharing and Recording

The wellbeing of a child is of central importance when making decisions to lawfully share **all times, information shared should be relevant, necessary and proportionate to the circumstances of the child, and limited to those who need to know.**

When gathering information about possible risks to a child, information should be sought from all relevant sources, including services that may be involved with other family members. shared, a record should be made of when it was shared, with whom, for what purpose, in what form and whether it was disclosed with or without informed consent. Similarly, any decision not to share information and rationale should be recorded.

23. Confidentiality and Consent

Privacy and confidentiality is governed by legal provisions that aim to safeguard personal information,

The same legal provisions also provide for sharing of information for purposes such as public protection, crime prevention and crime detection. Where agencies are acting in fulfilment of their statutory duties, it is not necessary or appropriate to seek consent – for example, where a referral is made to the Reporter under the Children's Hearing (Scotland) Act 2011, the consent of a child and/or parents or carers should not need to be sought prior to the submission of a report. There is an important distinction between making the child aware that information will/may be shared and seeking their consent for that sharing.

If you have concerns about a child's wellbeing, or a child is considered to be at risk of significant harm, relevant information must always be shared. The application of this principle

can be highly sensitive, particularly where children and young people make use of a service on the basis of its confidentiality. Good examples of this are helplines set up to support children and young people, such as ChildLine. Many young people need the time and space that such confidential services can offer to talk about their problems with someone who can listen and advise without necessarily having to refer. However, on some occasions, this confidentiality can be breached if the information received concerns life-threatening situations, risk to other children, adult abusers and/or abuse by an adult in authority.

Because of the responsibilities they have to children in their care, staff should never give an absolute guarantee of confidentiality to an adult or a child. The member of staff should not be dismissive and should seek to retain the child's trust by explaining that, whilst every effort will be made to respect a desire for confidentiality, if there are serious concerns about a child's wellbeing and protection, it will be necessary for that information to be passed on to the appropriate authorities. It can be encouraging to reassure those seeking advice that the staff member will not breach the confidence without letting that person know that they intend doing so. This applies to children as well as adults. Under Data Protection law it is perfectly acceptable and lawful for services to share information, where there is an indication that a child's wellbeing is at risk. Under such circumstances consent is not required.

24. Storage and Retention of Information

See Basil Paterson Middle School's Management, Retention and Disposal of Records Policy

25. Information Sharing

Section 23 in the Children and Young People (Scotland) Act 2014 stipulates that when a child's Named Person service provider, i.e. a health board, local authority, or independent school, changes, the previous Named Person must share information that is likely to be relevant to any risk to the child's wellbeing, with the new Named Person. This ensures that important information is not lost due to the child moving area, or making other transitions.

Information is expected to be communicated within 10 working days after the new arrangement is put in place, unless there is good reason for this to take longer. In some cases, there would be an expectation that this would be done more quickly e.g. transition of a child from primary to secondary school. Where a Child's Plan is in place, the legislation is specific that, with few exceptions, the area into which the child moves is responsible for the management of the plan. Concerns must be communicated to the receiving school, along with the child's education file, and a written notification provided, even where initial contact was made by other means. This notification should include information on the history of the original school's involvement with the child and their family and the identified risks, including the most recent intervention plan and any progress made. Where the case history is lengthy and/or significant, where practical, a face-to-face meeting between relevant staff from both schools should be considered as a follow up to the written referral.

The Named Person service provider must review all information held by the Named Person and consider whether the child's circumstances indicate that their wellbeing might be compromised if the information was not shared with an appropriate authority outwith Scotland. Where there are genuine concerns about a child's or young person's wellbeing, the Data Protection Act 1998 promotes lawful and proportionate information sharing, while also protecting the right of the individual to have their personal information fairly processed. In such circumstances, relevant information held about the child should be archived and retained in line with the record retention policy. This is because, if the child returns to Scotland, information likely to be relevant to their wellbeing will need to be shared with the child's Named Person.

26. Appointment of Staff

The Protection of Vulnerable Groups (PVG) Scheme was established by the Protection of Vulnerable Groups (Scotland) Act 2007. At the heart of the Act is the creation of a PVG Scheme Membership which is designed to prevent unsuitable people being recruited into, or remaining in, regulated work with children or protected adults. The PVG Scheme is designed to create a fair and consistent system that will help to ensure that those who have regular contact with children and protected adults through paid and unpaid work do not have a known history of harmful behaviour. It requires those who wish to work with children, or vulnerable adults, to be registered. The PVG Database is owned and populated by Disclosure Scotland. Basil Paterson Middle School will take reasonable measures to ensure we practice safer recruitment for checking the suitability of staff and volunteers to work with children and young people.

Procedures will include:

- Senior members of staff will receive Safer Recruitment training;
- References are taken up in advance, and interviews include questions regarding child protection issues;
- References will be followed up by a phone call to confirm and validate them;
- All applicants who are offered employment in posts involving access to young people (whether teacher or support staff) will be subject to a PVG disclosure. Other adults who may come into direct contact with pupils as part of their business with the school or on an infrequent basis (parents helping on trips, coach drivers etc) will be subject to an appropriate checks;
- Identity checks and verification of documents;
- Self Declaration to be signed by all staff.

27. Training/Induction

All staff, volunteers and teachers at Basil Paterson Middle school will receive child protection training once a year and all newly appointed staff will receive training at induction.

Summary of Child Protection training:

- Senior Management including the NP/CPC must undertake training every two years
- Teaching and other staff should have training updated every three years. In-house training will be offered to all new teachers and staff and all staff will have an annual in-house update.
- Staff are given regular training to the appropriate level and updates.
- Staff are trained to develop their understanding of the signs and indicators of abuse.
- Staff know how to respond to a pupil who discloses abuse.
- Parents are made aware of the responsibilities of staff members with regard to child protection procedures.
- The headteacher will undertake an annual review of safeguarding procedures and form a view as to their effectiveness.
- All new members of staff will be given a copy of this document. They will be made aware of the Named Person Service.

28. Allegations involving school staff

- All school staff should take care not to place themselves in a vulnerable position with a young person.
- All staff should be aware of the school's Staff Protection Policy.
- If a pupil or parent makes a complaint of abuse against a member of staff, the person receiving the complaint must take it seriously and immediately inform the Headteacher. He or she should also make a record of the concerns including details of anyone else who witnessed the incident or allegation.

- Careful consideration needs to be given to the suspension of the member of staff against whom an allegation has been made. Any suspension is seen as a neutral action and does not predict the outcome of any disciplinary process. The proprietor will be consulted before a final decision is made.
- If the Headteacher decides that the allegation warrants further action through Safeguarding procedures they will make a referral direct to the local social care team. If the allegation constitutes a serious criminal offence, it will be necessary to contact social care before informing the member of staff.
- If it is decided that a referral is not necessary the Headteacher will investigate following the school's disciplinary procedures.
- If the allegation made to a member of staff concerns the Headteacher, the person receiving the complaint will inform the Principal of EFL who will follow the procedures above without first notifying the Headteacher. Allegations will be sent to the Chair of the Board of Governors – James Martin (james.martin@oise.com)

29. Whistle blowing

It is recognised that young people cannot be expected to raise concerns in an environment where staff fail to do so. As a school we will ensure that all staff are made aware of their duty to raise concerns about the attitude and actions of colleagues. If necessary they should speak to their line manager, the CPC or the Headteacher.

See Whistle-blowing Policies for staff and students.

30. Inappropriate relationships

Under no circumstances should inappropriate relationships be encouraged between adults and young people. Staff should be aware that the Sexual Offences Act 2003 created a new criminal offence of abuse of trust and a new offence of meeting a young person following sexual grooming.

Where a member of staff is concerned that a pupil has developed a crush or attachment to them, they should report this to the CPC and should discourage social exchanges with them that are in any way different from those of the rest of their peers.

Staff should at all times have regard for their professional responsibilities and for their conduct to ensure that they uphold the letter and spirit of this policy in safeguarding young people.

31. Lone Working

Lone working with individual young people should be avoided if at all possible. However, it is recognised that there will be occasions when there is no alternative. The following guidelines should be considered by staff:

- Let another member of staff know that they are alone with a young person.
- Keep the door open to the room that they are in or ensure they are in a room with an uncovered glass panel in the door.
- If this is a regular occurrence (such as regular music or learning support lessons) the parents should be aware of the situation.
- Should anything happen during the session that makes the staff member uncomfortable, this should be reported to the CPC immediately.
- Young people should only be given lifts in cars with the express permission of a member of the management team.

32. Curriculum Links

The school will provide:

- A PSHE curriculum and other pastoral activities.
- A strong ethos where young people feel secure and are encouraged to talk.
- An environment where all young people know there is an adult in the school whom they can approach if they are worried or in difficulty.
- Curriculum opportunities are included which equip young people with the skills they need to stay safe from harm and to know to whom they should turn for help both whilst at school and in the future.

Appendices Related Policies and Documents

Appendix 1: Definition of Wellbeing
Appendix 2: Indicators of risk
Appendix 3: National Practice model
Appendix 4: Resilience Matrix
Appendix 5: Child Protection Form 1
Appendix 6: Child Protection Form 2
Appendix 7: Wellbeing Concern Form 1
Appendix 8: Wellbeing Concern Form 2
Appendix 10: Code of Conduct
Appendix 11: Chronology Guidelines & Forms
Appendix 12: Guidance for staff

Related Policies:

Management, Retention and Disposal of Records Policy
Wellbeing concern form
Child protection Concern form
Anti-bullying policy
Camera, Mobile Phone and Camera devices Policy
Educational and off-site visits policy
Every Child Matters policy
Health & Safety policy
Internet Safety policy
Lost pupil policy
Recruitment policy
Staff Induction and Development policy
Staff Protection Policy
Supervision Policy
Confidentiality Policy
Prevent Policy
Management, Retention and Disposal of Records Policy
Confidentiality Statement

Child Protection Coordinator, Named Person & Head of School: Claire Samuel

Child Protection Support, Support for Learning Coordinator & Academic Manager: Dean Mohammad

Code of Conduct for Staff: Guidance on Interaction with Pupils

Staff interactions with pupils must be transparent and staff should always be wary of allowing situations to develop which could lead to allegations of impropriety.

1. Physical Touch

The climate of suspicion that has developed with regard to child abuse poses a real dilemma for caring adults. This is true in all schools but especially so in boarding situations where schools take a pride in fostering a family atmosphere. In order to protect children from abuse, and staff from suspicions of abuse, the natural inclination to comfort and reassure children through physical contact needs a considered assessment of the situation. This does not mean that physical contact is never permissible. It does mean that adults touching children must operate within understood limits, and that contact outwith those limits must be a considered response which can be justified if necessary.

Where those limits lie will vary according to the age of the child and the role of the member of staff. A young child in a boarding situation may well require to be comforted and reassured. Any touching or comforting should be age appropriate, context specific, preferably done within vision of others and prompted by the needs of the child, not those of the staff.

One would expect the need and desirability of such contact with older pupils, especially day pupils, to be considerably less, although even in these circumstances situations could arise in which it would be a natural and human occurrence. The death of a pupil, for example, might make it natural for pupils and teachers to grieve together and touching would be neither unusual nor undesirable, so long as it was agreeable to both parties and limited.

It would be impossible to lay down rigid rules about what is, and is not, permissible. Awareness-raising through in-service training should provide opportunities for staff to explore acceptable limits through discussion of case scenarios. Common sense is a good guide, but it must be informed common sense. It is important for caring adults to understand that too generous limits which can be operated satisfactorily by some can be exploited by others with less worthy motives. The difficulty in laying down clear limits makes it all the more important that schools make every effort to ensure that all staff who have contact with pupils are carefully selected and all appropriate checks completed.

2. One-to-One Situations

Opportunities for abuse exist in all schools, especially boarding schools, and in one-to-one situations, e.g. tutorials, music lessons, one-to-one tuition, guidance interviews, sick rooms. The simplest advice would be to try, as far as possible, to avoid being alone with a child or young person. However, for some staff this is unrealistic as the context of their job is teaching in one-to-one situations, e.g. Music Instructors. This may also prove difficult, especially in a boarding situation, where it might be seen as beneficial for a child to have some opportunity for one-to-one contact with an adult.

- Where one-to-one contact is appropriate, it should be timetabled and, where possible, held with others around or within earshot or view of others.
- Never have the door locked and, wherever possible, maintain a gap/barrier between you and the child. Another member of staff should be aware of any meeting and its purpose.
- If possible, doors should have built-in windows.

- Do not meet pupils off school premises or invite them to your home.
- Most one-to-one meetings will be straightforward and uneventful. But where the meeting is difficult, fraught, tense, accusatory or the pupil becomes distressed, the adult must record details and inform a senior manager of the incident.
- If in doubt about a meeting, agree that a colleague will be nearby.
- Excursions out of the school, especially residential stays, can provide opportunities for abuse. Care should be taken to ensure that there are sufficient adults to provide proper supervision and that appropriate risk assessment(s) have been carried out.

3. Physical Contact and Restraint

- Physical contact should only be for the purpose of care, instruction, health and safety, physical intervention or restraint.
- Avoid any physical horseplay with a child, or any other actions another adult or child might misinterpret, no matter how innocent or well-intentioned the actions might be.
- Staff should always be able to justify resorting to physical contact in any situation.
- The nature of the contact should be limited to what is appropriate and proportionate.
- Where possible, initial responses should be to de-escalate and divert before considering physical intervention or restraint. Staff should avoid restraining a child by putting their hands on a child's joints. Where possible another member of staff should be summoned to witness and give support. As soon as the child is under control, staff should cease any physical contact. All incidents of physical intervention or restraint should be logged, dated and signed in a log kept for that purpose.
- The use of physical restraint on a child should involve the absolute minimum force reasonable to the situation and is only permissible when certain that a child is at imminent risk of endangering themselves or others (or in extreme circumstances of inflicting damage to property).

4. 'Hands on' Educational Instruction

- Hands on' educational instructions / support should only be used when verbal or role-modelling is insufficient or it is necessary for health and safety reasons. Whenever possible, this should be done within earshot, and preferably within view, of others.
- Where 'hands on' is necessary you should seek the young person's permission appropriate to their age and level of understanding and explain to them what you are about to do.

5. Verbal Remarks

- Positive relationships between staff and children often involve warmth and humour but staff should be aware that there can be a narrow line between remarks which an adult perceives as fair and humorous, but which can be hurtful and embarrassing to a child.
- Salacious or demeaning remarks should never be made to or in the presence of children and young people. Remarks about a child's physical characteristics or development, or suggestive or derogatory comments could fall into this category. Staff should avoid making unfavourable comparisons to a child and 'picking on' particular children.

6. Communication via E-Technology and Social Media

- Any communication via e-technology with pupils should be in line with school policy, for educational purposes and approved by the senior management of the school.
- A teacher can be vulnerable to unintended misuse of electronic communication. E-mail, texting and social media encourage casual dialogue and very often, innocent actions can easily be misconstrued or manipulated. A teacher should never share information with pupils in any environment that they would not willingly or appropriately share in a school or school-related setting.

7. Attachments

- In circumstances where you or a member of staff's relationship with, or feelings towards, a child or young person are at risk of being construed as unprofessional behaviour, seek advice and support from your line manager.
- If it seems that a young person is becoming inappropriately attached to you or to another member of staff or volunteer or adult helper, share your concerns and seek advice from your line manager.

8. Climate and 'Whistle Blowing'

- In working with children and young people, it is possible for staff, through ill-considered actions, to lay themselves open to allegations of abuse. Their best protection is to encourage a climate of openness within the classroom and school community, where pupils feel confident to point out aspects of behaviour they do not like.
- If another member of staff is seen to behave inappropriately with a child, do not ignore it but share it with the Child Protection Co-ordinator.
- If the concern is about the Child Protection Co-ordinator then it should be reported to the Head and if it is about the Head it should be reported to the Chair of the Board of Governors.

9. Inappropriate or Abusive Behaviour

The list below is presented to show some of the ways in which inappropriate behaviour or abuse may be manifested. It is important to recognise that this list is neither definitive nor exhaustive, nor is it meant to suggest that all the actions below are in themselves abusive: they must be seen in the context of the interaction with the child and the intention of staff. Staff should bear these in mind as a way of minimising risk and encouraging good practice. Staff must always exercise professional judgement in each circumstance.

Physical	Hitting/tapping Pushing/jabbing Throwing missiles Shaking
Emotional	Inappropriate/systematic sarcasm Isolating e.g. locked room Unfavourable comparisons Threats Intimidation Scapegoating Systematic personal criticism

Sexual Any sexual activity with a pupil
Inappropriate touching/comforting
Suggestive remarks or gestures
Sexual harassment
Indecent materials
Grooming a child for abuse

I confirm that I have read the above Code of Conduct. I have been informed of the school's Wellbeing and Child Protection policy and of my responsibility to take advice from the appropriate member of staff (Named Person/Child Protection Co-ordinator) if I have a wellbeing and/or child protection concern about a pupil.

Signed:

Name (printed):

Role:

Date: