

Safeguarding and protecting children and young people

A guide and good practice exemplification
for awarding bodies



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Introduction

This guide arises out of the Clywch Report from the Children's Commissioner in Wales which investigated allegations of child sexual abuse in a school setting and recommended that guidance be provided on the role of awarding bodies with regard to child protection arrangements. The guide is being jointly issued by the regulatory authorities for external qualifications in England, Wales and Northern Ireland. It should be read in conjunction with the relevant national documents on safeguarding and protecting children and young people.

The guidance is in two parts.

The first section on **Responsibilities** provides a short summary of what awarding bodies need to be doing in terms of safeguarding children and young people.

The second section of **Good practice guidance** is offered to indicate what the responsibilities might mean in practice. Every effort has been made to keep the individual elements of these materials as brief and as straightforward as possible. They are not offered as necessarily the best or the only ways of approaching these matters. The purpose is simply to support awarding bodies in their management of child protection arrangements. This section also includes key definitions for reference.

For those who are looking to provide a particular element of procedural guidance, these exemplars may be used to inform the development of procedures or used more directly as a template that is adapted to individual circumstances. For those awarding bodies who have robust procedural guidance in place, the exemplars offer a way of reviewing current practice in due course through the means of comparison/contrast.

There is no expectation that awarding bodies will necessarily adopt any or all of the examples unless they wish to do so. What matters most is not the particular way that a responsibility is discharged but the fact that it is, and that children/young people are thus made safe.

This guidance is advisory only and provides an indication of good practice to assist awarding bodies with putting in place procedures on safeguarding children and young people.

The guidance is intended for awarding bodies to use in their own contexts. In adopting the guidance, awarding bodies take responsibility for its publication, use and implementation. Each awarding body is responsible for any amendments and adaptations they make to the guidance.

The recommendations in this guidance are not exhaustive and awarding bodies should take responsibility for checking any updates and changes to the law.

Guidance on the responsibilities of awarding bodies

Good practice for awarding bodies in safeguarding and child protection involves being an effective and professional channel for information and concerns. The role is not to make judgements; that is for those with specific expertise in this field. Awarding bodies, in essence, need to ensure that they know who to contact, and to do so when an issue arises.

Awarding bodies should

- 1 Have a designated and trained child protection person to ensure that issues related to child protection are followed through promptly. There should be a named alternative who can act in the designated person's absence.
- 2 Provide the designated child protection person with an unambiguous remit and suitable training.
- 3 Provide appropriate training for all relevant staff in child protection.
- 4 Make guidance easily accessible to all staff including those on short-term or fixed-term contracts. Guidance should include relevant information for how awarding body staff contact the heads of establishments, Social Services and the awarding body's designated child protection person.
- 5 See that the child protection materials provided for relevant staff are up to date and as brief as may be compatible with clear communication, in order to aid ease of understanding.
- 6 Provide visiting examiners and verifiers with clear guidance about how to behave and respond in the range of circumstances that they may encounter.
- 7 Ensure that examiners and verifiers are deployed so that the principles of safeguarding children and young people are not compromised, rotating such staff where possible and practicable.
- 8 Have clear procedures in place to ensure that all concerns get referred to the designated child protection person and that the person who makes the initial referral receives feedback, as appropriate.
- 9 Make explicit that concerns regarding a fellow member of awarding body staff will be dealt with in line with whistleblowing, disciplinary, complaints and child protection procedures.
- 10 Maintain an appropriate record-keeping system for child protection issues.
- 11 Make clear to centres that, although child protection matters will be referred back to them wherever possible, an awarding body may need to contact Social Services in order to fulfil its own obligations.
- 12 Take account of the need to provide specifications and support materials that are age appropriate.

- 13 Have access to up-to-date copies of any information and advice from UK governments and relevant regulatory authorities with regard to child protection.
- 14 Establish and maintain contacts that provide access to specialist advice and support, as and when necessary.
- 15 Obtain advice from those that administer police/Criminal Records Bureau checks to ensure requirements are known and met.
- 16 Awarding bodies should review child protection procedures after each significant incident and, in the absence of such an incident, at least every three years.

Good practice guidance

This guidance is offered to indicate what the responsibilities might mean in practice. They are not offered as the best or the only ways of approaching these matters. They may be used to inform the development of procedures or used more directly and adapted to individual circumstances.

Sample remit for designated child protection person

Key principles

- The welfare of the child is paramount.
- Those providing services for young people should have a procedure for handling child protection allegations consistent with current guidance.
- All allegations should be taken seriously and treated in accordance with child protection procedures.
- The Social Services and the police are responsible for any investigation.

Key roles

- To coordinate action on child protection issues for the awarding body.
- To ensure that all child protection concerns are referred to the appropriate authorities in accordance with the correct current procedures.
- To act as a source of, or link to, expertise and advice for awarding body staff.
- To be responsible for ensuring that new and temporary members of staff know the procedures and where to obtain advice.

Responsibilities

- 1 Maintain the welfare of the individual child as paramount.
- 2 Have a good understanding of the awarding body's child protection, whistle blowing, disciplinary and complaints procedures plus how these relate to current guidance.
- 3 Provide support and assistance to all relevant awarding body staff with regard to child protection.
- 4 Provide information that is brief, clear and easily understood.
- 5 Seek advice from Social Services and other agencies and take appropriate roles in referrals or liaison activities.
- 6 Ensure prompt referrals to Social Services, to the police and to Examination Centres, as may be necessary.
- 7 Establish and maintain contacts in order to provide access to relevant specialist advice.
- 8 Liaise with the head of a centre where child protection issues have been raised. Make clear how matters have been dealt with and what agencies are involved. Where the head of a centre is named in an allegation, liaise with social services and police about how information is handled with regard to the centre.

- 9 Keep a clear factual record of child protection concerns and of action taken
- 10 Maintain an effective and secure system for filing, keeping and cross-referencing child protection concerns.
- 11 Maintain an up-to-date record of telephone contacts for child protection referrals and advice.
- 12 Ensure that those who raise concerns are given appropriate feedback.
- 13 Have an effective back-up/deputising system.
- 14 Attend management meetings whenever child protection and related matters are part of the agenda.
- 15 Have sufficient understanding of the awarding body's business to be able to identify potential problem areas through formal risk assessments.
- 16 Manage and maintain an appropriate training programme for all staff.
- 17 Keep own training and knowledge updated.
- 18 Make periodic reviews to confirm adherence to the relevant guidance.
- 19 Maintain a summary of referrals and their outcomes.
- 20 Ensure that reviews take place at least every three years and after each significant incident.
- 21 Maintain communication with the Chief Executive about general issues arising from specific investigations and about support needed in order to maintain good practice.

Safeguarding children: conducting assessments at centres

This document is aimed at providing general guidance on conducting assessments wisely and well. Good examiners and verifiers make a conscious effort to appear friendly, open-minded and relaxed. They seek to avoid unnecessary formality. However, it is essential that a professional distance is kept between themselves and candidates.

Do

- Give candidates as much encouragement as possible.
- Adopt a relaxed, informal and friendly atmosphere.
- Listen to what young people say.
- Keep a physical and professional distance.
- Be aware of the effect that your words and actions may have.
- Be approachable.
- Appear alert, co-operative and open-minded.

Don't

- Don't stray from the task in the specification.
- Don't be unnecessarily inquisitive.
- Don't do or say anything that might make a candidate feel uncomfortable.
- Don't say things that could be interpreted as aggressive, hostile or impatient.
- Don't be drawn into personal conversations or introduce personal subjects.
- Don't make comments that could be misinterpreted, such as about their appearance.
- Don't sit or stand too close to the candidate.
- Don't stand over the candidate as this may make them feel pressured.
- Don't meet other than in the agreed assessment venue.
- Don't exchange personal contact details.

The timing of assessments should be such that they fall within the normal timetable parameters of the department/institution.

Child protection: what to do when you are in a centre

There can be a range of possible ways in which a concern might arise during your work for the awarding body. This might involve one of several circumstances, some of which are detailed below:

- student–teacher relationship
- student–other adult relationship
- abuse at home
- behaviour between older and younger students
- behaviour of fellow examiner.

All allegations or suspicions of abuse must be taken seriously and treated in accordance with child protection procedures

Keeping children safe is everyone’s responsibility. In all aspects of our work, the needs and interests of children must be put first. If a person raises a concern, it will probably be a candidate to whom you are talking; but it could be anyone. The basic guidance is the same in all cases.

What to say and do

- Make it clear that you have listened and take what has been said seriously.
- Do not promise to keep secrets.
- Explain that you will find people who can help
- Do not interrupt the person when they are recalling significant events.
- Do not make the person repeat the story.
- Do not prompt or ask leading questions.

What to write down

You should make a written record as soon as possible. This should include:

- the date, time and place
- who was there
- what you were told and by whom, using the exact words wherever possible.

Who to contact

If an allegation is made, these contacts need to be made with:

- the awarding body's designated child protection person
- the local Social Services, to seek advice and discuss if a child protection referral is appropriate in this case
- the head of the centre, unless the allegation relates to him or her.

In your contact with Social Services, you should make clear what you have said and to whom. They will be able to advise you if there are any further actions you need to take.

A copy of the contact details for Social Services should be attached to this. If you are missing these, refer to a phone directory under 'Social Services' or under the name of the local authority in question.

The awarding body's designated officer is there to give you support and assistance at any stage of the process where you feel unsure/concerned and to act as a liaison point. The telephone number is *****. When an incident occurs, you should contact the awarding body as soon as possible and submit a written report within two working days.

Inappropriate activities at centres

On occasions, a child protection concern at a centre may arise out of an activity that you are observing. Two possible contexts for this are drama performance and discussions you are observing. If an activity you are watching gives you cause for concern, you will need to consider whether to stop the assessment prior to completion. No activity should continue that might be seen as raising child protection issues.

If you are concerned about an activity, you should seek advice immediately.

- Contact the awarding body's designated child protection person on *****.
- If there is no answer, contact the main switchboard on ***** who will put you through to the named alternative.
- If the situation involves potential abuse, follow procedures as given above in the section **Who to contact**.

Child protection: what to do if you are concerned about a colleague

Any allegation of abuse or suspected abuse in relation to a colleague working for the awarding body must be referred to the designated child protection person for discussion and, on their advice, to your line manager.

The matter will be dealt with in accordance with the awarding body's child protection and/or whistleblowing/disciplinary procedures.

This section applies as much to out-of-hours activities as it does activities that take place within the regular working day. It also applies to concerns about professionals who might abuse in their private lives as, in such situations, careful consideration would need to take place about whether the employee presents a risk in the work context.

If a concern arises during a visit to a centre where the colleague is in direct contact with children, these contacts need to be made:

- with the head of the centre
- with the awarding body's designated child protection person
- with the local Social Services, to seek advice and discuss if a child protection referral is appropriate in this case.

A copy of the contact details for Social Services should be attached to this guidance. If you do not have the contact details you need, refer to a phone directory under 'Social Services' or under the name of the local authority in question.

The awarding body's designated person is there to give you support and assistance at any stage of the process where you feel unsure/concerned. The designated person will also act as a liaison point. The telephone number for the designated person is *****. When an incident occurs, you should contact the awarding body as soon as possible and submit a written report within two working days.

Child protection: guidance for those assessing written materials

If you come across material in written work that gives you cause for concern, you will need to get advice and support on the matter.

It is, of course, not always easy to distinguish between fact and fiction in people's writing, but that should not be seen as a reason to ignore an issue.

If you believe that a piece of work raises potential child protection concerns, you should immediately refer the matter to the designated child protection person who is ***** and can be contacted on *****. You will normally be expected to send a copy of the written material in question immediately.

The awarding body will deal with these concerns in liaison with the centre and inform you of the outcome which may include a child protection referral.

Note: You should always have sufficient time to make a proper assessment of materials, particularly when they are provided prior to a centre visit. Persistent delay in the provision of materials from a centre which threatens to leave you insufficient time to make an assessment should be referred promptly to your line manager.

Child protection: staff receiving information by telephone

If you receive a telephone call which raises issues of concern about a possible child protection matter, seek to follow the procedures indicated below.

If you are connected to the main switchboard during office hours, offer the caller the opportunity to speak to the designated child protection person who is ***** on extension ****.

Things to do

If you have to handle the call yourself:

- ask for the caller's name and contact details – do not press if they refuse
- stay calm and deal with the call unhurriedly
- listen carefully and note down any details given
- clarify what is said if you are not sure
- **try to establish:**
 - **the name of the child**
 - **what happened**
 - **where and when**
 - **the name of the person they have concerns about**
- record other details, if volunteered, but do not become the investigator
- assure the caller that the matter will be followed up urgently
- tell the caller that someone will get back to them in due course.

Taking care

- Avoid delay: if the call cannot be easily passed on, take the details yourself.
- Don't ask leading questions.
- Don't offer personal opinion or comment.
- Don't rush the caller.

Always pass on any information you receive as a matter of urgency to the child protection person on *** or the named alternative if that officer is unavailable.**

Child protection: advice for switchboard operators

There are two basic situations in which you may find yourself handling a call with regards to child protection:

- a comment/complaint from a member of the public.
- a call from an examiner who is visiting a centre/marking written work.

In all cases seek to connect the caller to the designated child protection person who is ***** on extension *****.

If that extension is not answering, the named alternative is ***** on extension *****

Handling the call yourself

Do not keep the caller hanging on for an unnecessarily long time. If you are unable to contact a designated member of staff, follow this advice in handling the call.

- Ask for the caller's name and contact details. Do not press if they refuse.
- Stay calm and deal with the call unhurriedly.
- Listen carefully and note down any details given.
- Clarify what is said if you are not sure.
- **Try to establish:**
 - **the name of the child**
 - **what happened**
 - **where and when**
 - **the name of the person they have concerns about.**
- Record other details, if volunteered, but do not become the investigator.
- Assure the caller that the matter will be followed up urgently.
- Tell the caller that someone will get back to them in due course.

Taking care

- Don't ask leading questions.
- Don't offer personal opinion or comment.
- Don't rush the caller.

Always pass on any information you receive as a matter of urgency to the child protection person or, if unavailable, to one of the other staff indicated above.

Child protection: receiving feedback

Feedback is a difficult area in many child protection matters.

It is important that those who raise concerns feel that they have been heard.

Equally, it is important that confidentiality is respected, not least where a court action may still be pending. It may be that it will take a considerable time before the person making the referral receives feedback. Indeed, there are cases where, if court action is pending, or if there are on-going investigations, it may not be possible to give any feedback beyond the acknowledgement that the referral has been accepted and that it is being dealt with by the police and Social Services.

The awarding body's procedures have been put in place so that you can feel confident that you are listened to and your concerns are taken seriously.

You have a right to expect feedback and to seek clarification as to where a particular matter stands, even if the amount of feedback that can be given might be, in some instances, relatively limited. Feedback will be given and should be received in a manner that is consistent with respecting the confidentiality of the child.

You also have a right to raise your concerns at the highest level if you feel a child protection matter has not received due attention. This can be done by writing to the Chief Executive at *****. Please mark the envelope 'Confidential'.

If these procedures fail to provide the re-assurance required, you retain your right to make a direct referral to Social Services about such matters. A list of contacts should have been provided with your child protection information pack. If you do not have that list, you can refer to a phone directory under 'Social Services' or under the name of the local authority in question.

Initial recording of information about child protection

Date of referral:

Centre name and number:

Candidate name and number:

Details of referral plus action taken:

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Person making referral: Signature:

Feedback (to be completed by Child Protection Person and shared with person making referral):

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Signed: Date:

Awarding body child protection record

Date of referral:

Centre name and number:

Candidate name and number:

Name of person making referral:

Details of referral:

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Action with dates (to include liaison with other agencies):

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Signed by: **Date:**

Key definitions and concepts

The following are accepted definitions that reflect the legislation in England, Wales and Northern Ireland.

Children: a child is anyone who has not yet reached their eighteenth birthday. 'Children' therefore means 'children and young people' throughout. The fact that a child has become sixteen years of age, is living independently or is in Further Education, or is a member of the armed forces, or is in hospital, or is in prison or a young offenders institution does not change their status or their entitlement to services or protection.

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully

Protecting children from maltreatment is important in preventing the impairment of health or development. Protecting children from maltreatment and preventing impairment of children's health and development are necessary but not sufficient to ensure that children are growing up in circumstances consistent with the provision of safe and effective care. So these aspects of safeguarding and promoting welfare are cumulative

Child protection is a part of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific children who are suffering, or are at risk of suffering, significant harm. Effective child protection is essential as part of wider work to safeguard and promote the welfare of children. However, all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced.

Children in need: children who are defined as being 'in need' are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services plus those who are disabled. The critical factors to be taken into account in deciding whether a child is in need are what will happen to a child's health or development **without services** being provided, and the likely effect the services will have on the child's standard of health and development. Local Authorities have a duty to safeguard and promote the welfare of children in need.

Significant Harm: some children are in need because they are suffering or likely to suffer significant harm. There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism, and bizarre or unusual elements. Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment. Sometimes, a single traumatic event may constitute significant harm, for example a violent assault, suffocation or poisoning. More often, significant harm is a compilation of significant events, both acute and longstanding, which interrupt, change or damage the child's physical and psychological development. Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm. In each case, it is necessary to consider any maltreatment alongside the family's strengths and supports.

Abuse and Neglect: forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

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: 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 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 overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying 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.

Sexual Abuse: involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) 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 watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect: 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 and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

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