

Guidance

Organisation & Management

Safeguarding Children

Status: Strongly

Recommended

Date of Issue: September 2004

Ref: DfES/0027/2004

Related documents: See Appendix 1

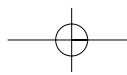
Superseded documents:
Circular 10/95-Protecting Children from Abuse: The Role of the Education Service

Audience:

Local Education Authorities
Governing bodies of maintained schools
Governing bodies of non-maintained special schools
Corporation of Further Education Institutions
Proprietors of Independent schools
Head teachers of all schools
Principals of Further Education Institutions

Safeguarding Children in Education

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Summary of Contents

This document is about the duty of LEAs, schools of all kinds, and Further Education Institutions to have arrangements for carrying out their functions with a view to safeguarding and promoting the welfare of children. It also updates and replaces the existing guidance about the organisation of child protection arrangements in the education service that is contained in Circular 10/95: Protecting Children from Abuse: The Role of the Education Service. It is supported by a website that includes examples of good practice and model policies for education establishments to use, at: www.teachernet.gov.uk/childprotection

The introduction to the document explains the context and purpose of the guidance and draws attention to relevant legislation.

Part 1 discusses the duty of LEAs and education establishments in regard to safeguarding and promoting the welfare of children.

Part 2 sets out the roles and responsibilities of LEAs, Governing Bodies, Proprietors of Independent Schools, Head Teachers, and people with designated responsibility for child protection in making arrangements to enable people in the education service to play their full part in safeguarding children from abuse and neglect.

The Annexes to the guidance contain information about issues relevant to child protection, and links to further and more detailed advice and guidance about those issues.

This guidance and information was up to date at the time of issue, September 2004. The version of the document available on the Department's website will be updated as further or amended information and guidance becomes available. Additional copies of this document are only available by downloading from the website at: www.teachernet.gov.uk/childprotection/guidance.htm

Enquiries about the content of this document should be addressed to: The Child Protection Education Policy Team, DfES, Mowden Hall, Staindrop Road, Darlington DL3 9BG. Email child.protection@dfes.qsi.gov.uk or telephone 01325 392175. Please do not use these addresses or telephone to request copies of the document. As noted above, copies can only be obtained by downloading the document from our website.

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Introduction

1. The guidance in this document is part of the Government's guidance about safeguarding and promoting the welfare of children under the provisions of the Children Act 1989. "Working Together to Safeguard Children"¹ sets out the overarching system for safeguarding children and the roles that different agencies play in that. "The Framework for the Assessment of Children in Need and their Families"² provides the framework for assessing children and families under the Children Act 1989. This includes assessments when there are concerns that a child may be suffering or is suffering harm.
2. Part 1 of this document gives guidance about the effect of the duty to have arrangements about safeguarding and promoting the welfare of children introduced by section 175 of the Education Act 2002 which came into force on 1 June 2004.
3. Part 2 of the guidance supplements the guidance in Working Together by setting out the infrastructure and arrangements that need to be in place to ensure that people in the education service have the skills, means and training necessary to ensure children and young people are protected from harm. It does not prescribe detailed procedures, but aims to specify the outcomes that organisations need to secure to enable staff to meet the objective of keeping children safe from harm, and what needs to be done or put in place to achieve this.
4. It is not guidance about what action an individual should take to safeguard a child about whom there are concerns. That guidance is contained in the separate publication "What To Do If You're Worried A Child Is Being Abused"³. A copy of the summary version of that guidance is being issued with every copy of this document. If you download this guidance from the internet, you can also download a copy of "What To Do If You're Worried A Child Is Being Abused" from:
www.teachernet.gov.uk/childprotection/guidance.htm
5. References in this guidance to a child, children, or children and young people, are references to people who are under 18 years of age.

¹ Working Together to Safeguard Children A guide to arrangements for inter-agency co-operation for the protection of children from abuse issued jointly by the Home Office, Department of Health, DFES and Welsh Office London HMSO 1999

² Framework for the Assessment of Children in Need and their Families. Department of Health, Department for Education and Skills and the Home Office (2000) London, The Stationery Office.

³ What to Do If You're Worried A Child Is Being Abused Summary issued by six Government Departments May 2003

A Shared Objective

6. Everyone in the education service shares an objective to help keep children and young people safe by contributing to:

- Providing a safe environment for children and young people to learn in education settings; and
- Identifying children and young people who are suffering or likely to suffer significant harm, and taking appropriate action with the aim of making sure they are kept safe both at home and at school.

7. Achieving these aims requires systems designed to:

- Prevent unsuitable people working with children and young people;
- Promote safe practice and challenge poor and unsafe practice;
- Identify instances in which there are grounds for concern about a child's welfare, and initiate/take appropriate action to keep them safe;
- Contribute to effective partnership working between all those involved with providing services for children.

8. The purpose of this guidance is to help LEAs, schools, and FE institutions make sure they have effective systems in place to support achieving those objectives.

Audience

9. This guidance applies in England only. It is for Local Education Authorities, Governing Bodies and Head teachers of maintained schools (including aided and foundation schools), Governing Bodies and Head teachers of Non-Maintained Special Schools, Proprietors and Head teachers of Independent Schools (including City Academies, and City Technology Colleges), and Corporations and Principals of the Further Education Institutions (including 6th Form Colleges). It should also be read by staff within those organisations who have a lead responsibility for safeguarding children.

Relevant Legislation

10. There are a number of statutory provisions that have a bearing on this area, either directly or indirectly. The most important are:

- 10.1 Section 17 of the Children Act 1989 – puts a duty on Local Authorities to safeguard and promote the welfare of children within their area who are in need and to provide a range and level of services appropriate to those children's needs;

10.2 Section 27 of the Children Act 1989 – requires LEAs and other organisations to assist in the exercise of functions, including those under s17;

10.3 Section 47 of the Children Act 1989 – requires local authorities to make child protection enquiries if they have reasonable cause to suspect a child in their area is suffering or is likely to suffer significant harm, and for LEAs and other organisations to assist them with those enquiries if asked to do so;

10.4 Section 175 of the Education Act 2002 - requires local education authorities and the governing bodies of maintained schools and further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. In addition, those bodies must have regard to any guidance issued by the Secretary of State in considering what arrangements they need to make for that purpose of the section;

10.5 Section 157 of the Education Act 2002 and The Education (Independent Schools Standards) (England) Regulations 2003 - require proprietors of Independent schools (including Academies and City Technology Colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school; and

10.6 The Non Maintained Special Schools Regulations 1999 – require the Governing bodies of Non Maintained Special Schools to make arrangements for safeguarding and promoting the health, safety and welfare of pupils at the school as approved by the Secretary of State.

General

11. This document is one of the pieces of guidance issued by the Secretary of State to which LEAs, Governing bodies and Proprietors must have regard for the purpose of s175 and s157 of the 2002 Act.

12. Failure to have arrangements in place as required by s175 (or s157 where that applies), or to have regard to this guidance, may be grounds for the Secretary of State to take action against an LEA, Governing Body, or Proprietor.

13. All educational establishments and LEAs are subject to inspection by Ofsted, and/or other relevant inspectorates, and the organisation's performance in regard to their responsibility to safeguard and promote the welfare of children in accordance with the relevant legislation and guidance will form part of the inspectorate's judgement of the organisation or establishment's overall performance. Performance in this area will be judged not only by the existence of procedures but also their effectiveness in terms of safeguarding children from harm.

PART 1

Safeguarding and Promoting Welfare

14. There are two aspects to safeguarding and promoting the welfare of children. They are:

- arrangements to take all reasonable measures to ensure that risks of harm to children's welfare are minimised; and
- arrangements to take all appropriate actions to address concerns about the welfare of a child, or children, working to agreed local policies and procedures in full partnership with other local agencies,

and the arrangements that LEAs, schools, and FE institutions have in place need to provide for both these aspects of safeguarding. (N. B. This is an operational definition of safeguarding adapted from "Safeguarding Children"⁴ the joint Chief Inspectors' report on Arrangements to Safeguard Children.)

15. For LEAs, schools and FE institutions, safeguarding therefore covers more than the contribution made to child protection in relation to individual children. It also encompasses issues such as pupil health and safety and bullying, about which there are specific statutory requirements, and a range of other issues, for example, arrangements for meeting the medical needs of children with medical conditions, providing first aid, school security, drugs and substance misuse, etc. about which the Secretary of State has issued guidance. There may also be other safeguarding issues that are specific to the local area or population.

16. Where there are statutory requirements, LEAs and establishments should have in place policies and procedures that satisfy those and comply with any guidance issued by the Secretary of State. Similarly, arrangements about matters on which the Secretary of State has issued guidance should be evidenced by policies and procedures that are in accordance with that guidance or achieve the same effect. Authorities, governing bodies, and proprietors also need to be able to show that they have considered whether children, including individual children, in their area/establishment have any specific safeguarding needs in addition to those covered by guidance, and if so, that they have policies and procedures in place to meet those needs.

17. The duties imposed by s175 of the Education Act 2002 (and s157 in relation to safeguarding pupils in Independent schools) have not been

⁴ Safeguarding Children, a report drawing on the findings of joint inspections of children's safeguards in 8 local authority areas by Social Services Inspectorate, OFSTED, the Commission for Health Improvement, Her Majesty's Inspectorate of Constabulary, Her Majesty's Inspectorate of Probation, Her Majesty's Court Service Inspectorate, Her Majesty's Crown Prosecution Service Inspectorate, and Her Majesty's Inspectorate of Prisons was published by the Department of Health in October 2002.

included in statute previously. The duty to have regard to any guidance given by the Secretary of State is entirely new. The other provisions of s175 (and the safeguarding provision of s157), make explicit the existing responsibility of LEAs, Governing Bodies and Proprietors for safeguarding and promoting the welfare of children as part of fulfilling their common law duty of care towards the children for whom their organisation or establishment is responsible.

18. Those provisions underpin and reinforce that common law duty of care and sit alongside other statutory responsibilities in this area, for example for health and safety and dealing with bullying. They enable the Secretary of State to enforce compliance, and mean that LEAs, Governing Bodies, and Proprietors must have arrangements in accordance with the guidance given by the Secretary of State.

19. The responsibility for making sure these arrangements are in place is put on the LEA, on the Governing Bodies of maintained schools (and non-maintained special schools) and Further Education institutions, and on the Proprietors of Independent schools (including Academies and City Technology Colleges). There is no direct liability on individuals except where the proprietor of an independent school happens to be an individual.

20. Although the legislation does not put duties on Head teachers, or other members of staff, and does not make them liable for a failure to have arrangements or to have regard to the guidance, Head teachers and other members of staff are responsible for carrying out their duties in compliance with the arrangements made by the LEA, governing body, or proprietor. Enforcing individuals' compliance with those arrangements is a matter for the employer under existing disciplinary procedures.

PART 2

The Framework for Protecting Children From Abuse and Neglect

The Role of the Local Education Authority

21. LEAs have responsibilities at three levels:

21.1. **Strategic** – planning, coordinating delivery of services, and allocating resources: working in partnership with other agencies, (e.g. children’s social services, health care professionals, youth offending teams) and Area Child Protection Committees;

21.2. **Support** – ensuring that maintained schools are aware of their responsibilities for child protection: monitoring their performance: making available appropriate training, model policies and procedures: providing advice and support; and facilitating links and cooperation with other agencies. Authorities will normally extend these functions to any non-maintained special schools in their area. Many authorities also provide these services to Independent schools and Further Education institutions. Authorities are free to do that, and to charge appropriate fees for services and training provided to Independent and Further Education establishments; and

21.3. **Operational** – taking responsibility for safeguarding children who are excluded from school, or who have not obtained a school place, for example children in Pupil Referral Units or being educated by the authority’s home tutor service: involvement in dealing with allegations against staff and volunteers; and ensuring arrangements are in place to prevent unsuitable staff and volunteers from working with children. N.B. responsibility for safeguarding children who are educated at home by their parents, or who are employed, are not solely education issues. These matters are best dealt with by a multi agency approach and should be addressed in locally agreed procedures in accordance with the principles set out in “Working Together” and the Assessment Framework.

22. All LEAs will have identified a senior officer for child protection to undertake and manage the provision of the above functions and services. An outline of the responsibilities that might fall within the remit of a lead officer is at Appendix 2. (An increasing number of authorities are putting in place a full time post for this work). Authorities can also draw on strategic support and advice from their local Investigation and Referral Support Coordinator, who belong to a national network of coordinators funded by the DfES.

23. Specific measures that LEAs should have in place in each of the above areas are set out below.

Strategic Responsibilities

24. At this level the LEA should:

24.1. allocate resources to support the work of the Area Child Protection Committee (ACPC);

24.2. ensure that a senior officer represents the LEA on the ACPC and that the authority makes an effective contribution to planning co-ordinated services to meet the needs of children;

24.3. work with other agencies to put in place and support effective partnership working;

24.4. allocate resources to enable the authority and maintained schools to discharge their responsibilities for safeguarding children satisfactorily;

24.5. liaise with the appropriate diocesan authorities in respect of arrangements for aided schools in their area;

24.6. monitor the compliance of maintained schools with this guidance, in particular in regard to the existence and operation of appropriate policies and procedures, and the training of staff, including the senior person with designated responsibility for child protection. Bring any deficiencies to the attention of the governing body of the school and advise the action needed to remedy them;

24.7. take action to resolve any inter agency problems as soon as they are identified; and

24.8. play a full part in case reviews in accordance with Chapter 8 of "Working Together" (serious case reviews): review and revise procedures and training in light of the findings of those reviews, and disseminate information about relevant findings to the people with designated responsibility for child protection in the authority and maintained schools.

Support Responsibilities

25. At this level the LEA should:

25.1. make sure that induction training for all new staff in the authority, staff who will work with children in maintained schools, and governors of maintained schools, includes training on safeguarding children that will enable them to fulfil their responsibilities in respect of child protection effectively, and that suitable refresher training to keep staff knowledge and skills up to date is also available. (Staff who do not have designated lead responsibility for child protection should have

refresher training every 3 years);

25.2. make sure that further training in inter-agency working to safeguard children that is provided by the ACPC, or meets the standards set out by the ACPC, is available for all staff appointed to have designated lead responsibility for child protection, and that suitable refresher training that will keep the skills and knowledge of senior designated staff up to date is also available and meets the standard set by the ACPC. (Staff with designated lead responsibility for child protection should have refresher training every 2 years);

25.3. provide model policies and procedures for maintained schools on all aspects of child protection, including the vetting of new staff and volunteers, and procedures for dealing with allegations against staff and volunteers. The authority should ensure that such policies and procedures comply with local ACPC agreed procedures for inter-agency working in all appropriate respects. (Further information is in Annex A). An outline model child protection policy, and guidance relating to these issues, including guidance drawn up jointly by the National Employers Organisation for School Teachers (NEOST) and the 6 teacher unions, and guidance compiled by the network of Investigation and Referral Support Coordinators (IRSC) can be found at: www.teachernet.gov.uk/childprotection

25.4. provide advice and support for maintained schools, and senior designated staff in those establishments about dealing with individual cases: where necessary acting on their behalf to resolve any difficulties with, or obtain appropriate support from, ACPC partner agencies; and

25.5. have in place arrangements to support staff in the authority and maintained schools who have designated lead responsibility for child protection, and to encourage and foster a good understanding and working relationship between them, children's social workers, and staff in other agencies involved in safeguarding children, to develop effective partnership working.

Operational Responsibilities

26. At this level the LEA should:

26.1. operate safe recruitment procedures and make sure that all appropriate checks are carried out on new staff and volunteers who will work with children, including Criminal Record Bureau and List 99 checks - see Annex A paragraphs 2 and 3;

26.2. have arrangements in place to safeguard and promote the welfare of children who have not been allocated a school place, or are excluded from school, including those being educated in pupil referral units, or via the home tutor service. N.B as noted in 21.3 above, safeguarding the welfare of children who are educated at home by

parents, or who are employed, are multi–agency responsibilities that should be addressed in locally agreed inter-agency procedures in accordance with the principles set out in “Working Together”. LEAs may take a lead on these issues because of other responsibilities, e.g. for ensuring the quality of education for children educated at home is satisfactory, but safeguarding in these circumstances requires an inter-agency approach;

26.3. have procedures in place for dealing with allegations of abuse against members of staff and volunteers, and work with schools, ACPC partner agencies, and their local Investigation and Referral Support Coordinator to ensure that allegations are dealt with quickly, fairly and consistently – see Annex A, paragraphs 13 - 16; and

26.4. ensure that the authority’s staff and any staff carrying out functions on behalf of the authority who work with children receive training that equips them to carry out their responsibilities for child protection effectively.

Local Authority Duties to Day Care Providers and Childminders

27. Under Part XA of the Children Act 1989, as amended by the Care Standards Act 2000, local authorities are required to secure the provision of information and advice about day care and childminding and the provision of training for day care providers and childminders. In many authorities these early years and childcare functions are carried out by LEAs.

28. The Sure Start Delivery Guidance for 2004 -2006 makes it clear to authorities that training is a key priority, particularly for leaders of group based child care, and that training activities should reflect local needs and priorities, and take account of national priorities including the requirements of the national standards.

29. The national standards for under 8s day care and childminding require that “the registered person complies with local child protection procedures approved by the ACPC and ensures that all adults working with children in the provision are able to put the procedure into practice”. This standard is supported by criteria which say that the registered person should have a written statement based on these procedures which sets out staff responsibilities. It is therefore envisaged that authorities’ training programmes for early year’s staff, in the private and voluntary sectors as well as the maintained sector, will include training in child protection procedures.

The Role of Governing Bodies of Maintained Schools, and Non-Maintained Special Schools

30. Governing bodies are accountable for ensuring their establishment has effective policies and procedures in place in accordance with this guidance, and monitoring the school's compliance with them. Neither the governing body, nor individual governors, have a role in dealing with individual cases or a right to know details of cases (except when exercising their disciplinary functions in respect of allegations against a member of staff). Some governing bodies have found it helpful for an individual member of the governing body to champion child protection issues within the school, liaise with the Head teacher about them, and provide information and reports to the governing body. However, it is not usually appropriate for that person to take the lead in dealing with allegations of abuse made against the head teacher. That is more properly the role of the Chair of Governors or, in the absence of a Chair, the vice/deputy chair. Whether the governing body acts collectively or an individual member takes the lead, it is helpful if all members of governing bodies undertake training about child protection to ensure they have the knowledge and information needed to perform their functions and understand their responsibilities.

31. Governing Bodies should ensure that the school:

31.1. has a child protection policy and procedures in place that are in accordance with LEA guidance and locally agreed inter-agency procedures, and the policy is made available to parents on request;

31.2. operates safe recruitment procedures and makes sure that all appropriate checks are carried out on new staff and volunteers who will work with children, including Criminal Record Bureau and List 99 checks - see also Annex A, paragraphs 2 and 3;

31.3. has procedures for dealing with allegations of abuse against members of staff and volunteers that comply with guidance from the LEA and locally agreed inter-agency procedures – see also Annex A, paragraphs 13 - 16;

31.4. has a senior member of the school's leadership team who is designated to take lead responsibility for dealing with child protection issues, providing advice and support to other staff, liaising with the LEA, and working with other agencies. The designated person need not be a teacher but must have the status and authority within the school management structure to carry out the duties of the post (see Appendix 3) including committing resources to child protection matters, and where appropriate directing other staff. N.B. in many schools a single designated person will be sufficient, but a deputy should be available to act in the designated person's absence. In large establishments, or those with a large number of child protection concerns, it may be necessary to have a number of deputies to deal

with the workload;

31.5. in addition to basic child protection training, the designated person undertakes training in inter-agency working that is provided by, or to standards agreed by, the ACPC, and refresher training at 2 yearly intervals to keep his/her knowledge and skills up to date;

31.6. the Head teacher, and all other staff who work with children undertake appropriate training to equip them to carry out their responsibilities for child protection effectively, that is kept up to date by refresher training at 3 yearly intervals, and temporary staff and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities;

31.7. the governing body remedies any deficiencies or weaknesses in regard to child protection arrangements that are brought to its attention without delay;

31.8. a member of the governing body (usually the Chair) is nominated to be responsible for liaising with the LEA and /or partner agencies, as appropriate in the event of allegations of abuse being made against the head teacher – see also Annex A, paragraphs 13 - 16; and

31.9. the Governing Body reviews its policies and procedures annually and provides information to the LEA about them and about how the above duties have been discharged.

Governing Bodies of Further Education Institutions

32. The responsibilities of Governing Bodies (Corporations) of Further Education institutions are similar in principle to those of Governing Bodies of Maintained schools, and the guidance in paragraph 30 applies (with appropriate interpolations). However, FE institutions are also different from schools in some respects. The statutory responsibilities for safeguarding and child protection only apply in relation to students who are children, that is people under 18 years old. Also, because institutions are autonomous they cannot rely automatically on LEAs to provide advice, support, access to training, policies and procedures, etc. Authorities are free to provide those services to FE institutions, and to charge for them, but have no obligation to do so. Institutions that do not purchase services from an LEA can approach the ACPC for advice.

33. The arrangements FE Governing Bodies need to put in place in respect of students under 18 years of age are therefore similar in principle to those that are listed in paragraph 31 (with appropriate modifications). In particular the Governing Body should ensure that:

33.1. the institution has a child protection policy and procedures in place that are in keeping with locally agreed inter-agency procedures,

and the policy is made available to students/parents on request;

33.2. operates safe recruitment procedures and makes sure that all appropriate checks are carried out on new staff and volunteers who will work with children, including Criminal Record Bureau and List 99 checks - see also Annex A, paragraphs 2 and 3;

33.3. has procedures for dealing with allegations of abuse against members of staff and volunteers that comply with locally agreed inter-agency procedures and this guidance – see also Annex A, paragraphs 13 - 16;

33.4. a senior member of the institution's staff is designated to take lead responsibility for dealing with child protection issues, providing advice and support to other staff, liaising with the LEA, and working with other agencies. The designated person must have the status and authority within the institution's management structure to carry out the duties of the post (see Appendix 3) including committing resources to child protection matters, and where appropriate directing other staff. N.B. dealing with individual cases may be a responsibility of the student welfare or student support arrangements in institutions, but it is important that a senior member of staff takes responsibility for this area of work;

33.5. where an institution provides education and/or training for pupils under 16 years of age who are on the roll of secondary schools, the designated person liaises with the schools concerned and ensures that appropriate arrangements are in place to safeguard the children;

33.6. in addition to basic child protection training, the designated person undertakes training in inter-agency working that is provided by, or to standards agreed by, the ACPC, and refresher training at 2 yearly intervals to keep his/her knowledge and skills up to date;

33.7. the Principal, and all other staff who work with children undertake training to equip them to carry out their responsibilities for child protection effectively, that is kept up to date by refresher training at 3 yearly intervals, and temporary staff and volunteers who work with children are made aware of the institution's arrangements for child protection and their responsibilities; and

33.8. the Governing Body remedies any deficiencies or weaknesses in regard to child protection arrangements that are brought to its attention without delay.

33.9. the Governing Body undertakes an annual review of its policies and procedures and how the above duties have been discharged.

Proprietors of Independent Schools

34. Like the Governing Bodies of FE institutions, Proprietors have similar responsibilities to those of Governing Bodies of maintained schools but cannot rely on LEAs to provide advice, support, etc automatically in the same way as they do for maintained schools. Authorities are free to provide those services to independent schools, and many do, charging appropriate fees for the work, but they have no obligation to do so. As with FE institutions, Independent schools that do not purchase services from an LEA can approach the ACPC for advice. In any event, Proprietors should ensure that;

34.1. the school has a child protection policy and procedures in place that are in accordance with locally agreed inter-agency procedures, and the policy is made available to parents on request;

34.2. the school operates safe recruitment procedures and makes sure that all appropriate checks are carried out on new staff and volunteers who will work with children, including Criminal Record Bureau and List 99 checks - see also Annex A paragraphs 2 and 3;

34.3 the school has procedures for dealing with allegations of abuse against members of staff/volunteers that comply with locally agreed inter-agency procedures and this guidance – see also Annex A paragraphs 13 – 16 - and those include procedures for the Proprietor to liaise with other agencies in the event that allegations are made involving the Head teacher (where the Proprietor is not the Head teacher);

34.4. a senior member of the school's management structure is designated to take lead responsibility for dealing with child protection issues and liaising with other agencies where necessary. As in maintained schools, the designated person need not be a teacher but must have the status and authority within the school management structure to carry out the duties of the post (see Appendix 3) including committing resources to child protection matters and where appropriate directing other staff. N.B. in many independent schools a single designated person will be sufficient, but a deputy should be available to act in the designated person's absence, and in schools which are organised into separate junior and senior parts on different sites or with a separate management line, there should be a designated person for each part or site;

34.5. in addition to basic child protection training, the designated person undertakes training in inter-agency working that is provided by, or to standards set by, the ACPC, and refresher training at 2 yearly intervals to keep his/her knowledge and skills up to date;

34.6. the Head teacher, and all other staff who work with children undertake training that equips them with the knowledge and skills necessary to carry out their responsibilities for child protection that is

kept up to date by refresher training at 3 yearly intervals, and temporary staff and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities;

34.7. any deficiencies or weaknesses in regard to child protection arrangements are remedied without delay; and

34.8. the Proprietor undertakes an annual review of the school's policies and procedures relating to safeguarding, and how the above duties have been discharged.

Boarding Schools

35. Governing bodies and Proprietors of independent schools who provide boarding accommodation for children will be aware that boarding schools are inspected by the Commission for Social Care Inspection under the Boarding Schools National Minimum Standards Inspection Regulations. These are published by the Secretary of State under section 87 C(1) of the Children Act 1989 as amended by the Care Standards Act 2000.

36. These regulations set out standards which are intended to safeguard and promote the welfare of children for whom accommodation is provided by a boarding school and they apply to all mainstream boarding schools in England. These standards will be used to assess whether the school is complying with its legal obligation to safeguard and promote the welfare of the children for whom accommodation is provided. Standard 3 is specific to child protection and allegations of abuse and sets out what must be in place for these standards to be met. Further information can be found at: www.teachernet.gov.uk/childprotection/guidance.htm

Extended Schools and Before and After School Activities

37. The Governing Body of a school controls the use of the school premises both during and outside school hours, except where a trust deed allows a person other than the governing body to control the use of the premises, or a transfer of control agreement has been made. Governing Bodies can enter into transfer of control agreements in order to share control of the school premises with another body, or transfer control to it. The other body, known as the 'controlling body', will control the occupation and use of the premises during the times specified in the agreement. Transferring control of the premises to local community groups, sports associations and service providers can enable school facilities to be used without needing ongoing management or administrative time from school staff.

38. Where the Governing Body provides services or activities directly under the supervision or management of school staff, the school's arrangements for child protection will apply. Where services or activities are provided separately by another body, the Governing Body should seek

assurance that the body concerned has appropriate policies and procedures in place in regard to safeguarding children and child protection and there are arrangements to liaise with the school on these matters where appropriate.

Further information can be found at:

www.teachernet.gov.uk/childprotection/guidance.htm

Head teachers and Principals

39. Head teachers of schools and Principals of FE institutions should ensure that:

39.1. the policies and procedures adopted by the Governing Body or Proprietor are fully implemented, and followed by all staff;

39.2. sufficient resources and time are allocated to enable the designated person and other staff to discharge their responsibilities, including taking part in strategy discussions and other inter-agency meetings, and contributing to the assessment of children; and

39.3. all staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle blowing policies.

Annex A

Protecting Children from Unsuitable People

1. There are several aspects to protecting children from unsuitable people. These include safe recruitment practices, procedures for dealing with allegations of abuse against staff, guidance about appropriate behaviour, and reporting cases to the Secretary of State so that unsuitable people can be stopped from working with children in any setting, and arrangements for safeguarding children in long term placements in a workplace.

Appointment of Staff

2. Safe recruitment practice means scrutinising applicants, verifying identity and any academic or vocational qualifications, obtaining professional and character references, checking previous employment history and that a candidate has the health and physical capacity for the job, and a face to face interview as well as the mandatory check of List 99 and, where appropriate, a Criminal Records Check.

3. Further advice can be found in the Department's guidance DfES 2002/0278 *Child Protection: Preventing Unsuitable People from Working with Children and Young Persons in the Education Service* and DfES 0780/2000, *Criminal Records Bureau, Managing the Demand for Disclosures*, which can be found at:

www.teachernet.gov.uk/childprotection/guidance.htm

Pupils/Students in Workplace Placements

4. There are occasions when children and young people are placed in settings outside of a normal school setting. This might be as work experience at Key Stage 4, or under the increasing flexibility agenda or alternative provision arrangements. KS 4 work experience arrangements have operated for many years without any problems, and there is comprehensive guidance about those in the publication "Work Experience and the Law" available to order from www.teachernet.gov.uk/childprotection/guidance.htm

5. More recently, however, long term placements for pupils /students undertaking vocational training or studying for vocational qualifications have become more common, and children can be in workplace settings on a regular basis for periods of several months or longer. Children are more vulnerable to abuse or harm in these situations than in short term placements, and therefore child protection arrangements are a relevant concern for longer term placements. Schools/FE institutions organising long term placements need to ensure that policies and procedures are in place to protect children and young people from harm, focusing greatest protection on settings in which children may be most at risk, for example when children will be placed for long periods in one to one situations with an adult. Employers and training organisations need to be made aware of safeguarding issues and asked to cooperate in putting appropriate safeguards in place.

6. These new requirements do not apply to short-term extended work experience lasting one term or less, as the amount of time involved is broadly the same as conventional block work experience. For example, it would not normally be necessary to apply additional safeguards for a placement of, say 10 weeks for half a day or a day per week for students on an Increased Flexibility or Applied GCSE programme.

7. Additional safeguards will be necessary for other placements that are in the same workplace when one or more of the following conditions apply. The placement is:

- (a) for more than one day per week;
- (b) for longer than one term in any academic year;
- (c) aimed at children who may be vulnerable, e.g. those who have special needs or are young (aged under 16);
- (d) one where the workplace supervisor or a colleague will have substantial unsupervised access to the child, because of the nature of the business (i.e. micro business, sole trader or journeyman); or
- (e) has a residential component.

8. If any of the conditions in para. 7 apply, the following safeguards should be in place:

- Staff of the LEA, school, or FE institution who arrange, vet, or monitor work placements should have had training in child protection;
- Training organisations or employers taking responsibility for a child or children on a long term placement should be asked to make a commitment to safeguarding their welfare by endorsing an agreed child protection policy or statement of principles.
- Any person whose normal duties will include regularly caring for, training, looking after or supervising a child in the workplace should be vetted and subject to Criminal Record Bureau checks to ensure s/he is not disqualified from working with children or otherwise unsuitable to be responsible for them. N.B. this should not include people who will have contact with the child simply because s/he will be in the same location, or as part of their work. It is intended to apply to people who are specifically designated to have responsibility for looking after, supervising or directly training a child or children throughout the placement. Checks should normally be arranged by the organisation arranging the placement, through the LEA, school or FE institution, and the person should be regarded as a volunteer for the purpose of the check.

- That person should also be given basic child protection training to be aware of their responsibilities in accordance with “What To Do If You’re Worried A Child Is Being Abused”. They should be given details of a person to contact in the event that there are any concerns about a child for whom they are responsible.
- The children who are placed in these settings should also be given clear advice about who to contact if they are worried or uncomfortable about their surroundings or if they suffer abuse. They should have a continuing point of regular contact within the school or FE institution and be given opportunities to raise any concerns they may have.
- School/FE institution/LEA policies and procedures should define what actions need to be taken by whom and when if any child protection issues are raised prior, during or after the placement.
- In some cases it is also important to ensure that the child/student concerned is suitable for the placement (for example, when placing children in environments involving them working with younger children) and in some circumstances CRB checks may be required. N.B. CRB checks would not be appropriate for students taking Applied GCSE in Health and Social Care.

9. Further information about the increased flexibility programme for 14 – 16 year olds, and guidance about vetting people working with children, is available at:

www.teachernet.gov.uk/childprotection/guidance.htm

Abuse of Trust.

10. All education staff need to know that inappropriate behaviour with or towards children is unacceptable. In particular, under the Sexual Offences Act 2003 it is an offence for a person over 18 (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if he/she does not teach the child.

Further information can be found at:

www.teachernet.gov.uk/childprotection/guidance.htm

Physical Contact with Pupils/Restraint.

11. It is not realistic to suggest that teachers should never touch pupils, and they, and other staff in schools, have the right to use reasonable force to control or restrain pupils in certain circumstances. Guidance about this can be found in DfES Circular 10/98 The Use of Force to Control or Restrain Pupils at: www.teachernet.gov.uk/childprotection/guidance.htm

12. Additional guidance for LEAs and special schools on the use of restrictive physical interventions with children who display extreme behaviour is contained in DfES documents LEA/0242/2002 “Guidance on the

Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders”, and LEA/0264/2003 “Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties”. These can be found at:

www.teachernet.gov.uk/childprotection/guidance.htm

Allegations Against Staff.

13. All LEAs and education establishments should have procedures for dealing with allegations against staff (and volunteers who work with children) that aim to strike a balance between the need to protect children from abuse, and the need to protect staff and volunteers from false or unfounded accusations. Guidance about procedures aimed at achieving that has been drawn up and issued by the National Employers Organisation for School Teachers and the 6 teacher unions. It can be found at:

www.teachernet.gov.uk/childprotection/guidance.htm

14. It is also important that procedures comply with locally agreed inter-agency procedures, and for maintained schools, LEA guidance on the issue. The flowchart at Appendix 4 illustrates the process, but not all the steps shown will be appropriate in every case.

15. Suspension should not be an automatic response to an allegation. The Head teacher, or chair of governors in a case in which the head teacher is accused, should consider carefully whether it is the appropriate course in each instance. Although suspension on full pay is in law a neutral act, it is bound to be distressing for the accused person and disruptive for the school. The Head teacher or governors will need to take into account the seriousness and plausibility of the allegation, the risk of harm to the pupil concerned or to other pupils, and the possibilities of tampering with evidence, as well as the interests of the person concerned and the school.

16. The network of Investigation and Referral Support Coordinators, one of whose responsibilities is to improve practice and procedure in dealing with allegations, produce guidance about issues relating to allegations. That guidance is currently contained in “Managing the Aftermath of Unfounded and Unsubstantiated Allegations”, “Staff Subject to Allegations, Thresholds for and Alternatives to Suspension”, “Definitions and Thresholds for Managing Allegations Against Education Staff”, and “Guidance for Education Staff Facing Allegations of Abuse” all of which are available at:

www.teachernet.gov.uk/childprotection/guidance.htm Further guidance will be added to the website as it is produced.

Reporting Cases to the Secretary of State

17. It is essential that cases are reported to the Secretary of State if a person ceases to work in an education setting and there are grounds for believing s/he may be unsuitable to work with children, or may have committed misconduct. The Secretary of State will consider whether to

prohibit the person from working with children in the future or place restrictions on their employment in educational establishments. LEAs, schools, FE institutions and other bodies all have a statutory duty to make reports, and to provide relevant information to the Secretary of State. Further information can be found at:

www.teachernet.gov.uk/childprotection/guidance.htm

Annex B

Helping to Keep Children Safe

1. This annex includes information and links to sources of further advice and guidance about a variety of issues that relate to helping keep children safe from abuse and neglect. Issues include: training, educating children through the PSHE curriculum, listening to children, and some issues that can make children more vulnerable or should be regarded as abuse.

Child Protection Training

2. All staff who work with children need to have basic child protection training that equips them to recognise and respond to child welfare concerns. The depth and detail of training needed by different groups will vary according to the nature of their role and the extent of their involvement with children.

3. Teachers should receive training in child protection as part of the course of training leading to QTS, but this may need to be reinforced by further training, or refresher training, when they are first appointed. Other staff, and governors, should receive training when they are first appointed. All staff who do not have designated responsibility for child protection, including teachers, should undertake suitable refresher training at 3 yearly intervals thereafter to keep their knowledge and skills up to date.

4. When staff with designated lead responsibility for child protection take up that role, they should receive training in inter-agency procedures that enables them to work in partnership with other agencies, and gives them the knowledge and skills needed to fulfil their responsibilities. They should also undertake refresher training at 2 yearly intervals after that to keep their knowledge and skills up to date.

5. All staff, whether permanent or temporary, and volunteers who will work with children should be given a written statement about the school's policy and procedures, and the name and contact details of the designated person when they start work in a new establishment.

Educating Children About Issues (PSHE)

6. It is important to make children and young people aware of behaviour towards them that is not acceptable and how they can help keep themselves safe. The non-statutory framework for Personal, Social and Health Education (PSHE) provides opportunities for children and young people to learn about keeping safe; and who to ask for help if their safety is threatened. As part of developing a healthy, safer lifestyle pupils should be taught, for example:

- to recognise and manage risks in different situations and then decide how to behave responsibly;
- to judge what kind of physical contact is acceptable and unacceptable;

- to recognise when pressure from others (including people they know) threatens their personal safety and well-being and develop effective ways of resisting pressure; including knowing when and where to get help;
- to use assertiveness techniques to resist unhelpful pressure.

7. Issues such as domestic violence and abuse can be difficult to broach directly in the classroom. However, discussions about personal safety and keeping safe can reinforce the message that any kind of violence is unacceptable; let children and young people know that it is okay to talk about their own problems; and signpost sources of help. Raising these issues can lead children to bring up personal problems and concerns and staff delivering lessons on these subjects need to be prepared for that possibility.

8. Links to more information about PSHE, classroom resources and sources of support, are available at:

www.teachernet.gov.uk/childprotection/guidance.htm

Listening to Children

9. Experience, and consultation with children, shows that they will talk about their concerns and problems to people they feel they can trust and they feel comfortable with. This will not necessarily be a teacher. It is therefore essential that all staff and volunteers in a school or establishment know how to respond sensitively to a child's concerns, who to approach for advice about them, and the importance of not guaranteeing complete confidentiality.

10. Children also want to know that they will be listened to and their concerns will be taken seriously, so all education establishments should seek to demonstrate to children that they provide them with a safe environment where it is okay to talk. Displays of helpful information about such things as national children's help lines (Child Line, NSPCC) and peer support schemes for children and young people in easily accessible places (e.g. on pupils' year planners) can encourage them to share concerns and help provide assurance about that.

11. Any member of staff or volunteer who is approached by a child wanting to talk should listen positively and reassure the child. They should record the discussion with the pupil as soon as possible and take action in accordance with the establishment's child protection procedures.

12. The available UK evidence on the extent of abuse among disabled children suggests that some may be especially vulnerable to abuse, for example those who have difficulty communicating. Learning support assistants working with children with special educational needs and disabilities provide close support to them and may encounter indications of possible abuse. Whilst extra care may be needed to ensure that signs of abuse and neglect are interpreted correctly, any suspicions should be reported in exactly the same manner as for other children.

13. The way in which a member of staff talks to a child who discloses abuse could have an effect on the evidence that is put forward if there are subsequent proceedings, and it is important that staff do not jump to conclusions, ask leading questions, or put words in a child's mouth. If a child makes a disclosure to a member of staff s/he should write a record of the conversation as soon as possible, distinguishing clearly between fact, observation, allegation and opinion, noting any action taken in cases of possible abuse and signing and dating the note.

14. Staff must also be aware that:

- It is not the responsibility of teachers or other staff or volunteers in schools and FE institutions to investigate suspected cases of abuse;
- They should not take any action beyond that agreed in the procedures established by the ACPC; and
- They cannot promise a child complete confidentiality – instead they must explain that they may need to pass information to other professionals to help keep the child or other children safe.

If You have Concerns about a Child's Welfare

15. Where there are concerns about a child's welfare relevant agencies need to be involved at an early stage. If a member of staff or a volunteer has concerns about a child's welfare, or if a child discloses that s/he is suffering abuse or reveals information that gives grounds for concern, the member of staff should speak to their designated person with a view to passing on the information. "What To Do If You're Worried A Child Is Being Abused" sets out what should happen next.

16. Abuse or neglect can have a damaging effect on a child's health, educational attainment and emotional well-being. Staff may see changes of behaviour or attendance patterns in existing pupils which are likely to adversely impact on a child's performance at school. Such changes may not necessarily indicate that a child is suffering abuse or neglect. In some cases those changes may be the symptoms of a hidden disability, or undiagnosed medical condition, and the need to distinguish those cases reinforces the need for a careful and thorough assessment of the child and his/her needs when concerns are passed on.

17. Children can be put at risk of harm by a variety of behaviours. Some examples with links to further information or guidance (although not an exhaustive list) are included below whilst others can be found at: www.teachernet.gov.uk/childprotection

Drug/Alcohol Abusing Parents

18. Drug and alcohol abuse by parents can have a serious effect on their children. 70% of children taken into care have parents who are suspected of substance abuse. Not all parents who abuse drugs or alcohol mistreat or neglect their children. But sometimes they can be put at considerable risk.

19. There is an increased risk of violence in families where parents abuse substances. Children can suffer from lack of boundaries and discipline and live chaotic lives. This can seriously affect their psychological and emotional development and may cause problems with their relationships later on in life.

20. The children who are most vulnerable are those whose parents are violent, aggressive, neglectful or rejecting. These children can remain “invisible” from the services intended to support them unless their behaviour attracts attention at school or elsewhere outside the home.

21. The Advisory Committee on Misuse of Drugs report on children of drug-misusing parents, Hidden Harm can be found at:
www.teachernet.gov.uk/childprotection/guidance.htm

Domestic Violence

22. The effect of domestic violence on children is such that it must be considered as abuse. Either witnessing it or being the subject of it is not only traumatic in itself but is likely to adversely impact on a child and it should be treated as physical or emotional abuse as appropriate.

23. Statistics confirm the strong link between domestic violence and child abuse. One in three child protection cases show a history of domestic violence to the mother. Children in violent households are three to nine times more likely to be injured and abused, either directly or while trying to protect their parent.

24. It is widely accepted that there are dramatic and serious effects of children witnessing domestic violence, which often result in behavioural issues, absenteeism, ill health, bullying, anti-social behaviour, drug and alcohol misuse, self-harm and psychosocial impacts. Growing up in a violent household is also a major factor in predicting delinquency.

25. Moving from the former family home to new accommodation may mean that children have to change school. Any change of school can be a difficult time for a family, but the particular circumstances associated with escape from domestic violence can make it an even more difficult occasion, particularly if there is an appreciable delay before a school place can be found. If the mother changes her address often or enters a refuge to escape her violent partner, social isolation and loss of friends add to the child's insecurity. Schools should develop protocol focusing on the special

needs/requirements of vulnerable children attending from a refuge environment.

26. Further information is available at:
www.teachernet.gov.uk/childprotection/guidance.htm

Children and Young People who Sexually Abuse

27. A distinction needs to be drawn between behaviour best dealt with by anti bullying policies and more complex behaviour which can be particularly sexually harmful and where both the perpetrator and the victim may need specialist help. Abuse is not just an adult crime. Children can pose a threat either physical or sexual to other children. Even when sexualised behaviour is identified and a pupil is on a treatment programme, they still have to be educated and managed in a school setting. Management of this behaviour in school needs to be approached on a whole school, classroom/curriculum and individual level.

28. Further information is available at:
www.teachernet.gov.uk/childprotection/guidance.htm

Sexual Exploitation of Children

29. Children involved in prostitution and other forms of commercial sexual exploitation are victims of abuse and should be treated as such. Their needs will require careful assessment as this problem is often hidden from view. Guidance about Children Involved In Prostitution issued jointly by the Home Office and the Department of Health in 1998 stresses that all agencies should treat the child primarily as a victim of abuse and should work together to provide them with strategies to exit prostitution. A copy of the text of the guidance can be found at:
www.teachernet.gov.uk/childprotection/guidance.htm

Female Genital Mutilation

30. This form of physical abuse involves female genital mutilation by way of female circumcision, excision or infibulation. FGM is extremely harmful. It is not like male circumcision. It causes long-term mental and physical suffering, difficulty in giving birth, infertility and even death. It cannot be justified as a cultural or religious practice. Leaders of all the main faiths have spoken out against it.

31. It is much more common than most people realise. Best estimates suggest there are around 74,000 women in the UK who have undergone the procedure, and about 7,000 girls under 17 who are at risk.

32. The Female Genital Mutilation Act 2003 was brought into force on 3 March 2004 and makes it an offence for the first time for UK nationals or permanent UK residents to carry out female genital mutilation (FGM) abroad, or to aid, abet, counsel or procure the carrying out of FGM abroad, even in

countries where the practice is legal.

33. To reflect the serious harm that FGM causes, the Act also increases the maximum penalty from 5 to 14 years' imprisonment. Further information can be found at: www.teachernet.gov.uk/childprotection/guidance.htm

Forced Marriages

34. Forced marriage is an entirely separate issue from arranged marriage, and the two things should not be confused. Forced marriage is a human rights abuse and falls within the Crown Prosecution Service definition of domestic violence. Young people at risk of a forced marriage are usually experiencing emotional and/or physical abuse at home.

35. Schools and FE institutions often feel that it is not their place to tackle this issue, and that doing so intrudes on private and cultural family matters, but that concern is misplaced. No culture or religion sanctions forced marriage: it is completely different from the practice of arranged marriage in which the parties consent to be married of their own free will. By contrast, forced marriage is a human rights abuse in the same way as child abuse and domestic violence and as such must not be ignored.

36. Establishments should consider forced marriage to be abuse and deal with it under their child protection procedures. The Community Liaison Unit of the Foreign and Commonwealth Office, offers advice on dealing with concerns about possible forced marriage. They can be contacted on 0207 0088706. Detailed guidance: "Young People and Vulnerable Adults Facing Forced Marriage" for the Police and social services about dealing with cases has been produced and can be found at: www.teachernet.gov.uk/childprotection/guidance.htm

37. The flow chart at Appendix 5 showing the steps that are followed in dealing with cases of forced marriage is taken from this guidance.

Parental Involvement

38. All parents need to understand that schools and FE institutions have a duty to safeguard and promote the welfare of children who are their pupils/students, that this responsibility necessitates a child protection policy and procedures, and that a school or institution may need to share information and work in partnership with other agencies when there are concerns about a child's welfare. It may be helpful to include a reference to this in the establishment's prospectus or other information provided to parents and pupils/students.

39. In general professionals should seek to discuss any concerns about a child's welfare with the family and, where possible, seek their agreement to making referrals to social service. However this should only be done where it will not place a child at increased risk of significant harm. The child's views should also be considered in deciding whether to inform the family in some circumstances, particularly where the child is sufficiently mature to make informed judgements about the issues, and about consenting to that.

40. Where there are any doubts or reservations about involving the child's family, the designated person should clarify with the statutory agencies, whether, and if so when and by whom, the parents should be told about the referral. That may also be important in cases where the police may need to conduct a criminal investigation. Where appropriate, they should help parents understand that a referral is in the interests of the child and that the establishment will be involved in the s.47 enquiry as per the Children Act 1989, or a police investigation. The establishment should keep the parents informed of the educational progress of the child.

Appendix 1: Relevant Guidance

The following guidance issued by the Secretary of State may be relevant when drawing up policies and procedures to safeguard and promote the welfare of children in accordance with Section 175 of the Education Act 2002. All of these documents are available from:

www.teachernet.gov.uk/childprotection/guidance.htm

PSHE Sex & Relationship Education Guidance DfEE 0116/2000
Staffing Guidance Under Section 35 (8) and 36 (8) of the Education Act 2002
Extended Schools – Providing Opportunities for All
School Security- A legal toolkit
Criminal Records Bureau: Managing the Demand for Disclosures DfES/0780/2002
Child Protection: Preventing Unsuitable People from Working With Children and Young Persons in the Education Service DfES/0278/2002
Guidance on Pre-Appointment Checks for School Governors
Child Protection: Procedures for Barring or Restricting People Working with Children in Education (July 2003)
Caring for Young People and the Vulnerable: Guidance for preventing abuse of trust (published by the Home Office, Department for Education and Employment, Department of Health, National Assembly for Wales and the Northern Ireland Office)
Work Related Learning at Key Stage 4: Advice for Practitioners on Legal Background & Other Areas DfES/0132/2003
Tackling Bullying and the “Don’t Suffer In Silence” anti bullying pack for schools
Health & Safety of Pupils on Educational Visits and supplementary guidance Standards for LEAs in Overseeing Educational Visits Standards for Adventure Handbook for Group Leaders
Health and Safety: Responsibilities and Powers DfES/0803/2001
Work Experience: Legal Responsibility and Health and Safety (May 1999)
Safe Keeping – A Good Practice Guide for Health and Safety in Study Support DfES/0197/2000
Guidance on First Aid for Schools: Good Practice Guidance
Drugs: Guidance for Schools DfES/0092/2004
Education of Children and Young People in Public Care (published by Department of Health and Department for Education and Skills)
Governors Guides to the Law

<p>Together from the Start: Practical Guidance for Professionals Working With Disabled Children (birth to third birthday) and Their Families LEA/0067/2003</p> <p>SEN Code of Practice DfES/0581/2001</p> <p>Supporting Pupils with Medical Needs: Good Practice Guidance</p>
<p>Working Together to Safeguard Children (1999) (published by Department of Health, Home Office and Department for Education and Employment)</p>
<p>Framework for the Assessment of Children In Need Practice Guidance (2000) (published by Department of Health, Home Office and Department for Education and Employment)</p>
<p>What to Do if You are Worried a Child is Being Abused. Children's Services Guidance (published by Department of Health, Department of Culture Media and Sports, Department for Education and Skills, Home Office, Office of the Deputy Prime Minister and the Lord Chancellors Department)</p>
<p>Registration of Independent Schools Information Pack</p>
<p>Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils DfEE/10/98</p> <p>Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders LEA/0242/2002</p> <p>Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties LEA/0264/2003</p> <p>Safeguarding Children: A Joint Chief Inspectors' Report on Arrangements to Safeguard Children (published by the Department of Health)</p>

Appendix 2

Broad areas of responsibility proposed for LEA Lead Officers and specific issues within those areas

Coordination:

- Staff structure to deliver responsibilities.
- Funding for LEA activities.

Provision of advice, guidance and support

- Casework, Court appearances, Legal issues.
- New legislation.
- Managing reports of missing pupils.
- Allegations against staff.
- Specific circumstances of abuse:
 - Female genital mutilation, Forced marriage, Fabricated or induced illness, Domestic violence, Child on child abuse, Sexual exploitation, Young carers.

Development of good working relationships and partnerships:

- Membership of ACPC.
- Maintaining supportive and effective working relationships within the department and inter agency.
- Network of senior designated persons for child protection.
- Relationships with non-LEA educational establishments and organizations including independent sector and FE institutions.
- Relationships with voluntary groups.

Training and awareness raising:

- Single agency, Interagency.
- Written guidance.

Promoting safe and positive environments:

- Recruitment and selection.

- Curriculum (formal and informal).
- Code of conduct for staff.
- Confidentiality, Record keeping, Transfer of records.
- Support for abused pupils to enable full use of educational opportunities.
- Issues in residential schools.

Management of Allegations:

- Procedures and guidance.
- Training, Links with other agencies, Record keeping.
- Monitoring and reporting.
- Casework management.

Development and Planning:

- Corporate commitment to multi-agency work.
- LEA policy, Overview of LEA activities.
- Development of the work of the LEA: inclusion of child protection in all plans.
- Childrens services plans and similar.
- Contribution to the work of the ACPC and its subgroups.
- Development of single agency procedures and practice guidance.
- Specific issues which may have a child protection dimension:
 - Health and Safety, restraint, bullying.
 - School trips, transport of pupils, residential visits, school exchange visits.
 - Child employment, work experience, taking & using images of children.
 - Pupils without a school place.
 - Showers and changing arrangements.
 - Parents and other volunteer helpers.

- First aid and administration of medicine.
- Extended school arrangements and after school clubs.
- Internet use.
- Children with parents who have mental illness or disability.
- Children with parents who misuse substances or drugs.
- Children in residential schools outside the LEA.

Monitoring:

- Contribution to work of ACPC and departmental QA groups.
- Designated Persons and status of training.
- Referrals to SSD (numbers, quality and response).
- Level of child protection activity within schools and links to training received.
- Governors and status of training.
- School policies, Attendance at case conferences.
- Children on the child protection register.
- Procedures/policies are in place in each school.
- Record keeping in schools.
- Compliance with DfES, ACPC procedures or standards.
- Implementation of recommendations of Part 8 reviews or similar.
- Use of restraint.

Accountability:

- Representation of LEA at local and national level.
- Personal training to be able to fulfil the role.

Liaison with Personnel Services Provider:

- Safe recruitment and selection procedures, Vetting arrangements.
- Disciplinary procedures/consideration of suspension.

Appendix 3

Broad areas of responsibility proposed for the Designated Senior Person for child protection

Referrals

- Refer cases of suspected abuse or allegations to the relevant investigating agencies.
- Act as a source of support, advice and expertise within the educational establishment when deciding whether to make a referral by liaising with relevant agencies.
- Liaise with Head teacher/Principal (where role not carried out by the Head teacher) to inform him/her of any issues and ongoing investigations and ensure there is always cover for this role.

Training

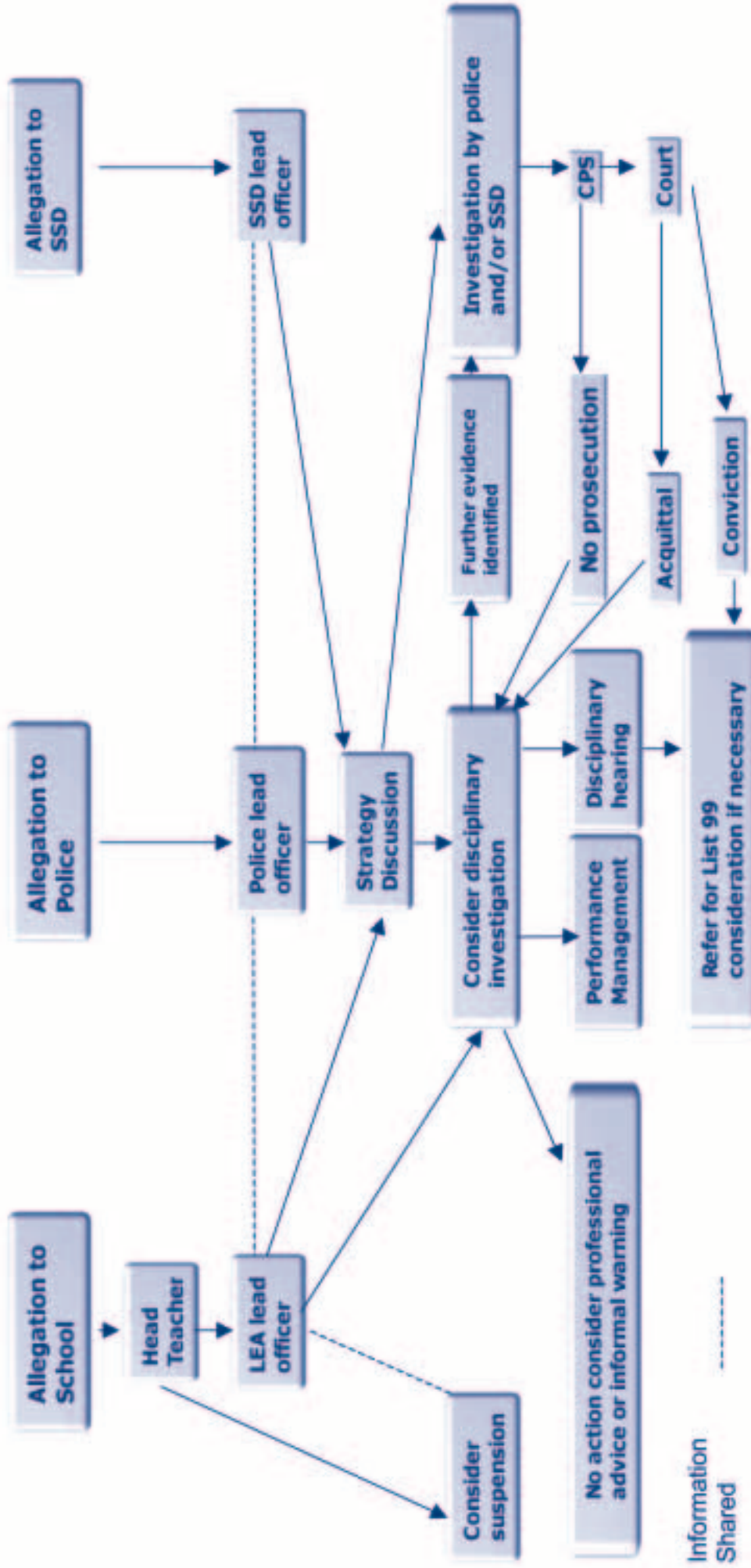
- To recognise how to identify signs of abuse and when it is appropriate to make a referral.
- Have a working knowledge of how ACPC's operate, the conduct of a child protection case conference and be able to attend and contribute to these effectively when required to do so.
- Ensure each member of staff has access to and understands the school's child protection policy especially new or part time staff who may work with different educational establishments.
- Ensure all staff have induction training covering child protection and are able to recognise and report any concerns immediately they arise.
- Be able to keep detailed accurate secure written records of referrals/concerns.
- Obtain access to resources and attend any relevant or refresher training courses at least every two years.

Raising Awareness

- Ensure the establishments child protection policy is updated and reviewed annually and work with the governing body/proprietor regarding this.
- Ensure parents see copies of the child protection policy which alerts them to the fact that referrals may be made and the role of the establishment in this to avoid conflict later.
- Where children leave the establishment ensure their child protection

file is copied for new establishment as soon as possible but transferred separately from main pupil file.

Appendix 4 Allegations Flowchart



Appendix 5 - Page references refer to Young People and Vulnerable Adults facing Forced Marriage: Practice Guidance for Social Workers
www.teachernet.gov.uk/childprotection/guidance.htm

