

CHILD PROTECTION PROCEDURES

SCHOOL STAFF

REVISED 2008 IN CONJUNCTION WITH THE ALL WALES CHILD PROTECTION PROCEDURES

General

Schools have an important role in recognising and referring alleged cases of abuse.

It is the individual school's responsibility to raise awareness and to ensure staff receive appropriate training and induction.

The Learning and Achievement Department has a duty to monitor this in the establishments it maintains. It is the Governors' duty in other establishments including Colleges and Grant Maintained Schools.

Schools and other establishments should have a designated person for Child Protection.

Every person in contact with or working with children, young people and their families should have received child protection training to a level commensurate with their role and responsibilities.

Definition of Child Abuse

A child is abused or neglected when somebody inflicts harm, or fails 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. A child or young person up to the age of 18 years can suffer abuse or neglect and require protection via an inter-agency child protection plan.

SECTION A – Immediate Action

Action to be taken by School based staff (including Nurseries)

- 1) If a member of staff suspects that a child has been abused or is at risk of suffering abuse the Head teacher (or deputy in his/her absence) must be immediately informed of the concern.
- 2) The Head teacher or in his/her absence the Deputy Head teacher, or designated person should inform by telephone, without delay, the Duty Social Worker, at the local Safeguarding and Support Department Office.

This should be the opportunity to discuss what action needs to be taken in any individual case and **how to keep the child safe**.

(Parental Consent - Obtaining parental consent should be considered before discussing a referral concerning their child with other agencies.

Exceptions to this include:

- Where such action may put the child at increased risk.
 - The possibility of threats or coercion.
 - The loss of important evidence.
 - The child's wishes that the parent/s are not informed, providing the child is competent to take that decision.
 - Safeguarding and Support Department Team Managers in conjunction with the police will make the decisions whether or not parents should be informed and not the referrer.
 - The reasons for the decision will be fully recorded.
- 3) It is important that the referral is made with reference to the "All Wales Child Protection Procedures".
 - 4) Information should be provided about the child's name, address, date of birth, name and address of those with parental responsibility and reasons for the concern.
 - 5) If this discussion is confirmed as a referral, it should be confirmed in writing using the Safeguarding and Support department "Common Referral Form" and **MARKED CONFIDENTIAL**. It is also helpful to send a copy to the Education Social Work Team Manager.
 - 6) If an Education Social Worker or School Nursing Sister is available, they may be able to assist with any immediate action required but it remains the Head teacher's responsibility to ensure that the action outlined above is taken.
 - 7) The Safeguarding and Support Department should advise what action will be initiated and the action the referrer should take regarding communication with parents i.e. at what point parents should be contacted and by whom.
 - 8) A representative from the school and/or Learning and Achievement Department will normally be required to attend any resulting Child Protection Conference.
 - 9) Whether schools attend or not they will be expected to submit a report and these should be available to the Chair/Safeguarding and Support Child Protection Coordinator 48 hours prior to the meeting, keeping to factual

information and not opinion or rumour. It is good practice to share any reports with the family at least the day before the conference.

- 10) **For a new referral it is the responsibility of the duty social worker/duty social work team manager to inform a referrer of action being taken within a maximum of 10 working days. When referrals concern open cases it is the responsibility of the child's Social Worker or their team.**

The individual employee or professional making the referral may be asked to do some or all of the following tasks, and should be prepared and willing to do them:

Contribute to a strategy discussion or strategy meeting;

Assist in the child protection section 47 enquiries;

Attend the child protection conference;

Provide a written report for the child protection conference;

Contribute to the initial and core assessments.

Professional Anonymity

Professionals cannot remain anonymous when making referrals, although members of the public are able to request this.

Sir Ronald Waterhouse, 'Lost in Care', highlights the responsibility of all professionals in respect of child protection:

“Consideration should be given to requiring failure by a member of staff to report actual or suspected physical or sexual abuse of a child by another member of staff or other person having contact with the child to be made an explicit disciplinary offence”.

EDUCATION SOCIAL WORKERS, EDUCATION PSYCHOLOGISTS, PERIPATETIC TEACHERS AND ANY OTHER STAFF NOT ATTACHED TO SCHOOLS

- 1) If an allegation of abuse is made whilst in a school situation, the Head teacher should be immediately informed of the concern and the school-based procedures should be followed.
- 2) If the allegation of abuse or concern is “out of the school situation” the same procedures should be followed without delay described for Head teachers in Section A.

- 3) The employee concerned should inform his or her Line Manager of the action taken and confirm this in writing to the Education Social Worker Team manager on the appropriate referral form.

The referrer should also, at the earliest opportunity, inform the Head teacher of this action.

SECTION B

WHERE IT IS ALLEGED ABUSE HAS TAKEN PLACE INVOLVING A MEMBER OF LEARNING AND ACHIEVEMENT STAFF.

- 1) When it is alleged or suspected that a pupil has been abused by a member of staff employed by the Learning and Achievement Department, the following procedure should be taken.
- 2) The Headteacher/Manager or deputy in his/her absence should be informed immediately.
- 3) All suspected abuse must be reported to Safeguarding and Support or The Police.
- 4) Agencies must not undertake their own internal enquiries but must refer on as described above. Agencies must not make their own decisions about whether a concern that involves a particular member of their own staff is a disciplinary issue or a child protection issue. Such complex considerations should only take place with the involvement of Safeguarding and Support and The Police.
- 5) In the event of an allegation of abuse being made against an individual employee in their private life, child protection enquiries should be conducted in accordance with the procedures described in the All Wales Child Protection Procedures.
- 6) The Welsh Assembly Government has in the *Staffing of Maintained Schools (Wales) Regulations 2006* set out this requirement for an independent investigation service. Schools are now required to use an independent investigation service in respect of any disciplinary process in relation to teaching staff. The purpose of the independent investigation service is to support school governing bodies when considering a disciplinary matter. However the independent investigative element should not be introduced until the completion of the child protection enquiries and/or criminal investigation by the statutory agencies.

SECTION C

ACTION TO BE TAKEN BY SCHOOL STAFF WHEN CONCERNED ABOUT SITUATIONS NOT COVERED BY SECTIONS A AND B.

- 1) Occasions may arise when staff are concerned that the normal procedures may not apply or be followed, e.g. if it is alleged that the abuse involves a Head teacher, Manager or senior member of staff. In such situations:
 - a) Inform, without delay, the appropriate Chief Officer based at the County Borough Learning and Achievement Department.
 - b) Alternatively, request a “confidential” interview with the appropriate Chief Officer, Education Social Work Team Manager or Head of Education Inclusion .

APPENDIX A

ROLE OF THE CHILD PROTECTION CO-ORDINATOR/DESIGNATED TEACHER/DESIGNATED MEMBER OF STAFF

Schools have a valuable role to play in the context of Child Protection, particularly at the recognition and referral stage.

The “All Wales Child Protection Procedures”, make it clear that all schools and colleges should have a designated member of staff responsible for co-ordinating Child Protection issues and in particular liaison with other agencies. This person also has a key role in monitoring the implementation of plans, post Child Protection Registration, in the context of their school or facility.

In order to assist schools and facilities in defining more clearly the responsibilities expected of the designated person the following details have been outlined. The information is not meant to be conclusive and should be considered within the wider context outlined in The All Wales Child Protection Procedures and the Local Safeguarding Boards Local Protocols.

General Consideration

Child Protection is a serious issue, particularly to those who may be victims, potential victims or involved in support. Frequently situations do not appear to be “black or white” and tensions often exist between agencies.

It would seem essential therefore that the person nominated or appointed should have;

- a. A clear understanding of the importance of Child Protection and the role of the school or facility in this process.
- b. The ability to communicate effectively with other agencies and the ability to appreciate all relevant perspectives.
- c. The ability to relate well to pupils, parents and colleagues in order to gain their confidence.
- d. Sufficient seniority or recognition within the school in order to act on behalf of the organisation and in some instances bring about change if required.

- e. A willingness to develop awareness of Child Protection, particularly through training and obtaining information available in existing and future procedures , circulars and guidance.

Specifically

The role of the co-coordinator/designated person would include:

1. Ensuring that all members of staff are aware of the appropriate Child Protection Procedures and who the designated teacher is. This is particularly important for new staff.
2. Ensuring that the proper procedures are followed.
3. Liaison with other agencies over cases of alleged abuse and the promotion of co-operative working including attendance at Case Conferences.
4. Ensuring that the designated named officer for Child Protection for Schools is aware of any breakdown in communication or problems with the implementation of local procedures.
5. Maintaining appropriate records regarding cases which cause concern and subsequent action taken.
6. Ensuring that ongoing monitoring exists for pupils having been the subject of child abuse concerns and/or, placed on the Child Protection Register and made the subject of a plan involving their school .

APPENDIX B

Physical Abuse

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 caregiver fabricates or induces illness in a child whom they are looking after.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, for example by witnessing domestic abuse within the home **or being bullied**, or, the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or caregiver failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, 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.

In addition, neglect may occur during pregnancy as a result of maternal substance misuse.

APPENDIX C

Disclosure / Allegation of Abuse

Should a young person disclose that s/he has been or is being abused, this information must be passed on. If a young person discloses abuse, the staff member should:

DO	DON'T
Listen to the child / young person rather than directly questioning him or her.	Stop a child who is freely recalling significant events.
Encourage the child / young person to allow another person to be present.	Show shock or disquiet.
Reassure the young person that they are not to blame and are right to tell.	Guarantee confidentiality.
Inform the child / young person that you will have to pass information on.	Put words into the child / young person's mouth.
Make a written record of the discussion as soon as possible after the child has made the disclosure to you, taking care to record the timing, setting, personnel / other staff as well as what was said.	Be afraid to seek support from yourself from your line manager. However, it is not appropriate because of the high standard of confidentiality that must be maintained in child protection to discuss individual cases with personal friends or acquaintances, who may be able to identify the family concerned.
Be clear about your own position, you work for a Department that has a responsibility to protect children and young people.	Interrupt the child / young person.
Keep any drawings, paintings etc. that the child / young person may do to show what happened to him or her.	Expose the child / young person to mass examination by staff to verify any injuries.
Remain calm and reassuring.	Question the child, remember, this task must be undertaken by specially trained professionals.

APPENDIX D

Additional information from the new All Wales Procedures:

1 During the course of an initial assessment, if Safeguarding and Support establish that a school age child is not attending school, they should alert the Learning and Achievement Department, and ensure that in the interim, the child is subject to adequate daytime care and supervision arrangements.

2 Where a teacher or other member of staff has cause to believe that a child is at risk from, or is the subject of, fabricated or induced illness, the teacher with designated responsibility for child protection should be immediately informed. As with all forms of suspected harm, the *All Wales Child Protection Procedures*' will apply and the designated teacher will take responsibility for making an appropriate referral to Safeguarding and Support. All evidence relating to the concern should be kept safely as it may be needed to inform decision making or contribute to any consequent investigation.

Teachers and other school staff should not carry out their own investigations or discuss the matter with the child's parent/caregiver.