

**City and County of Swansea
Safeguarding Guidance
for Education and Lifelong Learning Services**

March 2013

City and County of Swansea Safeguarding Guidance for Education and Lifelong Learning

1. Introduction

This guidance document has been produced on the basis of supporting good practice within Education and Lifelong Learning in relation to safeguarding and child protection. This guidance clearly defines the expectation on schools and education support services to have in place safeguarding policies and procedures, which are in keeping with local and national procedures and guidance

The City and County of Swansea places significant emphasis on the need for equality of opportunity to permeate all child related activities, and will continue to promote and develop its role as an advocate and protector of those who face special difficulties in realising their full potential.

The City and County of Swansea takes seriously its role and responsibilities to protect and safeguard the wellbeing and interests of all children in its care. Its role in protecting children and young people from exploitation and or abuse will not and cannot be underestimated.

Dealing with the safety and protection of children and young people is a demanding and difficult area of work. These difficulties and demands are balanced out with rewarding times, when staff work together to successfully support and protect children and young people. The City and County of Swansea recognises these factors and aims to ensure that all staff working in the Local Authority area having contact with children and young people will be provided with appropriate training, guidance and direction in this sensitive but essential area.

It is well documented that effective safeguarding work requires clear and sound procedures, good inter-agency

collaboration and co-operation, and requires those who work in this area to be competent and confident in recognising and responding to child protection situations.

In producing this guidance the Local Authority will draw upon the experience, procedures and practices of those professionals who work with children in education, social, health and other related settings. This guidance is also informed by known good practice within the City and County of Swansea and on a national basis, and is in line with Swansea/Western Bay Safeguarding Children Board (S/WBSCB) policies, protocols and procedures.

2. Role of Local Authority

Sections 27 and 47 of the Children Act place duties on Local Authorities to assist local Social Services acting on behalf of children and young people in need or who are suffering or likely to suffer significant harm.

Section 175 of the Education Act 2002 requires local authorities and 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.

For the purpose of this document the description of a child is a person up to the age of 18 years of age, this is as described in the All Wales Child Protection Procedures 2008.

In addition to this statutory duty, there exists a corporate and pastoral responsibility, which recognises that all children and young people who need to or use the services provided by the City and County of Swansea have a fundamental right to be protected from harm.

This guidance is designed to reaffirm those responsibilities, and endeavours to ensure that all staff when working with or on behalf of children and young people in Swansea are aware of the need to act in a consistent manner to enhance the welfare and safety of children.

In meeting this, the Local Authority will ensure that the Child Protection Officer for Education reports to the Senior Leadership Team (SLT) for Education on a regular basis on matters relating to child protection within Swansea. The Local Authority also takes seriously its responsibilities to address practice, policy and training issues for all educational establishments within the City and County of Swansea. The Senior Leadership Team of the Education Department will actively support and promote the work of the S/WBSCB.

3. Purpose of Guidance

This guidance aims to provide a framework which ensures that policies and practices within the Education and Lifelong Services are consistent and in line with stated values which underpin all work with children and young people. As such, this document provides a context for establishing good practice in all matters relating to the protection and care of children.

This document also endeavours to make clear to all City and County of Swansea staff in the Education and Lifelong Learning Services their professional responsibilities to ensure that statutory and other duties are met in accordance with all local and national requirements and procedures.

4. Underpinning Values

Overarching value: The welfare of the child is paramount

The United Nations Convention on the Rights of the Child (UNCRC) have identified 7 Core Aims which are:

- 1. Have a flying start in life;**
- 2. Have a comprehensive range of education and learning opportunities;**
- 3. Enjoy the best possible health and are free from abuse, victimisation and exploitation;**
- 4. Have access to play, leisure, sporting and cultural activities;**
- 5. Are listened to, treated with respect, and have their race and cultural identity recognised;**
- 6. Have a safe home and a community which supports physical and emotional wellbeing; and**
- 7. Are not disadvantaged by poverty.**

Other underpinning values:

- Children have a right to be treated with respect and dignity, as do the adults who work with them.**
- It is the responsibility of all adults to protect children.**
- All adults working on a paid or voluntary basis within Education and link organisations will have a responsibility to protect children from harm when and wherever they are in a position to do so.**
- All children should have the opportunity to raise concerns, express their views and contribute and comment on decisions taken about their lives, when and where possible and appropriate.**
- All work with children and young people will be informed by equal opportunities and anti-oppressive practice, and will reflect the diversity of needs of the communities that we serve.**
- All those working with or on behalf of children and young people must reflect and promote the value of 'Working Together' with parents, colleagues and other agencies in**

order to create safe environments and protect children from harm.

5. Policies, Procedures and Practice

Each establishment, organisation or service falling within the Education Department's area of responsibility and involve contact with children and young people, will ensure that there are designated staff who are competent to respond to child protection situations and concerns when and wherever they may arise. It is a recommendation of the Local Authority that a named deputy designated person is nominated within all establishments to be able to provide cover in times of absence of the designated person.

Within these establishments, organisations and services, there will be a written Child Protection Policy. A template document has been drawn up by the Local Authority which can be adapted and tailored to suit the individual needs of each school, establishment, organisation etc. A copy of this document is attached at Appendix A. This document will reflect the guidance and advice received from National and Local sources, in particular, the All Wales Child Protection Procedures (AWCPP) (April 2008), Safeguarding Children in Education (April 2008) and associated policy and procedures that have been agreed by the S/WBSCB.

In addition to the template document the Local Authority has produced an Information and Guidance Booklet for Schools (March 2011). Copies of this Booklet have been distributed to all schools and establishments in Swansea to distribute to all members of staff. A copy is attached at Appendix B. Within this Booklet there is information on dealing with concerns about colleagues, guidelines for the Designated Member of Staff, storage and transfer of records and contact details and information for the Children's Central Advice Referral and Assessment Team.

Governors Wales have developed a fact file on Whistleblowing. A copy of this document is attached as Appendix C. In addition, Governors Wales procedures for school staff and a model policy for governing bodies to adopt, which was published on 3rd December 2007 (Circular 36/2007) can be found on the Governors Wales website.

6. Code of Conduct

All adults working in Swansea in either a paid or voluntary capacity will adhere to specific codes of conduct that are clearly stated within each establishment's policy. This expectation in regard to the code of conduct will be emphasised at the beginning of employment or period of voluntary support to each individual.

Such codes of behaviour are intended to safeguard the well being of children and offer protection to adults whose vulnerability in some situations is recognised.

7. Records and Record Keeping

Well kept records are essential in situations where it is suspected or believed that a child may be at the risk of harm or likely to be at risk of harm.

All establishments, organisations and services will be required to maintain accurate and relevant child protection records. These records will be kept in a secure place but separate from all other records pertaining to the child. These 'Child Protection Records' will be accessed and maintained by the designated person/s only. The establishment, organisation or service may have a named deputy designate person who will have access to records in times of need.

Each establishment, organisation or service will need to include in their policy specific procedures for the transfer of sensitive records as and when required. Within schools the Local Authority has provided a policy and procedures which are to be followed when sensitive records need to be transferred. These can be accessed at the end of this document.

Child Protection Records are subject to the arrangements for maintaining confidentiality and storage within that establishment. The records will be kept for a period of not less than 7 years after the 18th birthday of the child.

The sharing of information or records will be subject to the agreed City and County of Swansea and S/WBSCB protocols and procedures.

Each establishment, organisation or service will keep and maintain records which detail allegations of abuse against any member of staff working for them, whether in a paid or voluntary capacity, whatever the outcome. There are clear requirements of to deal with information sharing with legal or statutory organisations eg ISA and the General Teaching Council for Wales (GTCW). Advice and guidance for the sharing of this specific information is available from the Human Resources Department.

8. Recruitment, Supervision and Support of Staff

Over recent years there has been an increased awareness of the possibility of abuse by people in positions of trust and therefore the need for careful and thorough recruitment and selection of staff is essential. It will be necessary for those responsible for employing and selection of staff to take every precaution to ensure thorough vetting procedures are conducted. Care must be taken to ensure that all details are checked and that references are taken up, obtained and checked. Further guidance and support can be obtained by contact the Local Authority's Human

Resources Department who offer training for Headteachers and governors on Safe Recruitment.

The School and Governor Support Unit will maintain a record of Headteachers and chairs of governors who have attended Safe Recruitment training and remind Headteachers and chairs of governors to attend updated training on a three year rolling programme basis. Where governors are involved in recruitment but have not attended Safe Recruitment training the Headteacher will take responsibility to cascade information relating to safe recruitment to appointment panel members.

The potential employer will need to undertake enhanced Disclosure and Barring Service (DBS) checks for all staff and to comply with the Disclosure and Barring Service (December 2012) requirements for those intending to work with children. Additional guidance on both these organisations can be gained by utilising the website addresses at the end of this document. It is policy within the City and County of Swansea that DBS are renewed every three years.

All establishments, organisations or services must also ensure that all staff that work with children have access to appropriate induction, training, supervision and support.

9. Training

Headteachers and Managers will need to ensure that all staff have access to training that is relevant and appropriate to their role. It is recommended that all staff receive updated child protection training at a period deemed necessary by the individual headteacher or manager. Swansea operates a three year rolling programme for training and all staff should attend training at least every three years if not sooner. These training courses will enhance knowledge and ability to recognise and respond to situations where children have been harmed or likely to be harmed and considered to be at risk.

The Authority provides training through its Child Protection Officer and endeavours to ensure that any training offered compliments and supports the work of the S/WBSCB as identified by its sub group for training which is part of the Regional Training Group.

Staff should be clear about their role and responsibilities in regards to the protection of children and are aware and understand the role of their colleagues, including others from supporting agencies.

10. Links with other Policies, Legislation and Guidance

This guidance should be considered within the context of other policies that pertain to work with children and young people. Staff will need to be aware and consider how other issues can and do have a bearing on child protection situations such as drug and alcohol misuse, domestic abuse, mental health issues etc.

A comprehensive list of policies and documents can be viewed at the end of this guidance. In addition, links to appropriate websites are also included plus hyperlinks to additional guidance, advice and information relating to child protection, safeguarding and wellbeing of children.

11. Information, Advice and Support

Further information, advice and support can be obtained from the Education Child Protection and Safeguarding Officer based in the Civic Centre, Swansea or by telephone on 01792-636550.

List of associated and additional policies, guidance, advice and appropriate website links

All these documents can be found on Welsh Government website:

www.wales.gov.uk/educationandskills

- **All Wales Child Protection Procedures- April 2008**
- **Safeguarding Children in Education- April 2008**
- **Education Records, School Reports and the Common Transfer System-circular 18/2006**
- **Safeguarding Children: Working Together Under the Children Act 2004-circular 12/2007**
- **Teaching Drama: guidance on Safeguarding Children and Child protection for managers and drama teachers- circular 23/2006**
- **Welsh Government Circular Guidance 036/2007 Procedures for Whistleblowing in Schools and Model policy**
- **Reporting Cases of Misconduct or Professional Incompetence in the Education Service- circular 018/2009 (replaces no: 33/2005)**
- **Information and Guidance on Domestic Abuse: Safeguarding Children and Young People 2010**
- **Children Missing from Education 2010**
- **Safe and effective intervention-use of reasonable force and searching for weapons October 2010**

Other documents from other sources

- **Sexual Offences (Amendment) Act 2000: Chapter 44- Sections 1-7, Her Majesty's Stationary Office and Queen's Printer of Acts of Parliament.**
- **Safeguarding Children and Safer recruitment in Education (Came in to force 1st January 2007 in England) Every Child Matters: Change for Children.**
- **The Children Act 2004**
- **The Education Act 2002**

- **The Education Act 2011**
- **The Human Rights Act 1998**
- **The Data Protection Act 1998**
- **The Children Act 1989**

Hyperlinks to websites that have important links to Safeguarding, and in particular Child Protection (This is not an exhaustive list)

- **www.wales.gov.uk**
- **www.isa.gov.uk**
- **www.gtcw.org.uk**
- **www.ico.gov.uk**
- **www.education.gov.uk**
- **www.governornet.co.uk**
- **www.thinkuknow.co.uk**
- **www.everychildmatters.co.uk**
- **www.wales.gov.uk/domesticabuse**

Appendix A: Model Child Protection Policy Template for Education.

Template

Child Protection Policy for Schools

This document should be read in conjunction with:

- The All Wales Child Protection Procedures 2008
- Child Protection – Notes for Staff booklet (March 2011)
- Staff Facing an Allegation of Abuse
- Safeguarding Children in Education (WAG Circular 005/2008)

The staff and governors of this school fully recognise the contribution they make to safeguarding children and the welfare of all pupils in this school is a priority. We believe that our school should provide a caring, supportive and safe environment which promotes the social, physical and moral development of each child by the provision of a curriculum and ethos which promotes self worth, confidence and independence. No child can learn effectively and reach their potential unless they feel secure.

The aims of this policy are:

- to ensure that all pupils know that they will be listened to and be able to easily communicate any concerns which they may have;
- to raise the awareness of **all** teaching staff, associate staff and Governors in the school to the need to safeguard pupils by identifying those “children in need”* and possible cases of child abuse;
- to emphasise the need for staff in this school to work in partnership with other relevant agencies (particularly Social Services Department and the Police) and to support them in carrying out their statutory duties;
- to ensure that staff are clear about their individual responsibilities for reporting concerns and that they understand the reporting procedures;
- to ensure that the school and governing body practice safe recruitment in checking the suitability of staff and volunteers working with pupils;
- to provide a systematic means of monitoring children known or thought to be at risk of harm.

**Child in Need – a Child in Need is a child who may be in need of support from Social Services or another agency but not necessarily at risk of significant harm and in need of immediate protection. Referrals should be made, as for Child Protection, on The Common Assessment and Referral Form.*

The Designated Teacher for Child Protection

In this school the Headteacher (*name of Designated teacher in a secondary school*) is the Designated teacher in respect of Child Protection matters. In their absence the Deputy Head will assume responsibility for those matters.

We will ensure that **all** staff, associate staff and Governors are aware of who the Designated teacher is.

The role of the Designated teacher is:

- the coordination of all child protection issues, acting as a source of advice and support for any staff who have concerns or information that a pupil may be suffering abuse or be a child in need;
- to be responsible for making referrals to Social Services;
- to ensure that the school is represented at case conferences and core meetings and contributes fully by providing reports as required;
- to attend training on a regular basis and cascade training to staff;
- to ensure that all staff (including agency workers and those directly employed by the school) are in possession of a valid and current CRB certificate.
- to ensure that all staff (including new staff/supply teachers) have access to all the relevant child protection documents and are clear about their own responsibilities;
- to report **any** allegation about a member of staff to the Local Education Authority's Child Protection Coordinator;
- to ensure that a chronological record of concerns is maintained if there are concerns about a child even if there is no need to make an immediate referral;
- to attend any Senior Strategy Meetings;
- to ensure that all records including case conference minutes are kept confidentially and securely (separate from pupil records);
- to send the child's records, including all child protection information, immediately to any school to which the child transfers.

Governor for Child Protection

The Chair of Governors (or named other) is the nominated Governor for child protection.

Their role is to ensure:

- that the school has a child protection policy in place which is reviewed annually to ensure its effectiveness;
- that the Designated teacher and other staff attend appropriate and regular training;

- that any allegation made against the Headteacher is immediately reported to them. The Chair of Governors will then contact the Local Education Authority's Child Protection Coordinator immediately and attend any Senior Strategy Meeting which is called.
- that there is an item on the agenda of a Governor Body meeting at least once a year where the Designated teacher will report on:
 - changes to child protection procedures or policy
 - training undertaken by all staff and Governors in the preceding twelve Months.
 - the number of incidents of a child protection nature which arose in the school
 - within the preceding twelve months (without details or names)
 - where and how child protection appears in the curriculum

Action To Be Taken By Our School

- We will attend relevant training on child protection on a regular basis.
- We will follow the All Wales Child Protection Procedures.
- All staff will inform the Designated teacher of any concerns that a pupil is suffering or is likely to suffer abuse or of any disclosure of abuse.
- Referrals will be made immediately to Social Services by telephone and followed up within two working days in writing using the Common Assessment and Referral Form.
- Any child on the child protection register absent without explanation will be referred to Social Services and the Education Welfare Officer.
- All staff will inform the Designated teacher of any allegations made against staff volunteers in the school.
- We will endeavour to build relations of understanding, trust and confidence with other agencies in order to ensure the best possible outcomes for children.

Prevention

- The school has an important role in preventing abuse by providing our pupils with good lines of communications with trusted adults within a safe environment.
- Our school encourages children to talk and to be listened to.
- Our school ensures all children know there is someone in school who they can approach if they are worried or in difficulty.
- Our school will include opportunities within the PSHE curriculum for pupils to explore issues to help them develop the skills to stay safe from harm and to know to whom they can turn for help.

Child Abuse – Identification and action to take

There are 4 categories:

Physical
Sexual
Neglect
Emotional

Defined as –

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of , or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as factitious illness by proxy or Munchausen syndrome by proxy.

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

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food, clothing and shelter (including exclusion from home or abandonment); failing to protect a child from physical and emotional harm or danger; not ensuring adequate supervision (including the use of inadequate care-givers); or failing to provide access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs

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 children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being

imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of a child.

Indicators of Physical Abuse:

unexplained bruising, marks or injuries on any part of the body
multiple bruises- in clusters, often on the upper arm, outside of the thigh
cigarette burns
human bite marks
broken bones
scalds, with upward splash marks,
multiple burns with a clearly demarcated edge.

- **Changes in behaviour that can also indicate physical abuse:**

fear of parents being approached for an explanation
aggressive behaviour or severe temper outbursts
flinching when approached or touched
reluctance to get changed, for example in hot weather
depression
withdrawn behaviour
running away from home.

Indicators of Sexual Abuse:

pain or itching in the genital area
bruising or bleeding near genital area
sexually transmitted disease
vaginal discharge or infection
stomach pains
discomfort when walking or sitting down
pregnancy

- **Changes in behaviour which can also indicate sexual abuse include:**

sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
fear of being left with a specific person or group of people
having nightmares
running away from home

sexual knowledge which is beyond their age, or developmental level
sexual drawings or language

- bedwetting
- eating problems such as overeating or anorexia
- self-harm or mutilation, sometimes leading to suicide attempts
- saying they have secrets they cannot tell anyone about
- substance or drug abuse
- suddenly having unexplained sources of money
- not allowed to have friends (particularly in adolescence)
- acting in a sexually explicit way towards adults

Indicators of Neglect:

constant hunger, sometimes stealing food from other children
constantly dirty or 'smelly'
loss of weight, or being constantly underweight
inappropriate clothing for the conditions.

- **Changes in behaviour which can also indicate neglect may include:**

complaining of being tired all the time
not requesting medical assistance and/or failing to attend appointments
having few friends
mentioning being left alone or unsupervised.

Indicators of Emotional Abuse:

neurotic behaviour e.g. sulking, hair twisting, rocking
being unable to play
fear of making mistakes
sudden speech disorders
self-harm
fear of parent being approached regarding their behaviour
developmental delay in terms of emotional progress

Dealing with Disclosures made by a child:

Receive

- Listen carefully to what is being said, without displaying shock or disbelief.

- Accept what is said. The child making the disclosure may be known to you as someone who does not always tell the truth. However do not let your past knowledge of this person allow you to pre-judge or invalidate their allegation.
- Do not attempt to investigate the allegation. Your duty will be to listen to what is being said and to pass that information on.

Reassure

- Provide the child with plenty of re-assurance. Always be honest and do not make promises you cannot keep, for example: "I'll stay with you", or, "Everything will be all right now".
- Alleviate guilt, if the pupil refers to it. For example, you could say: "You're not to blame. This is not your fault".
- Do not promise confidentiality. You will be under a duty to pass the information on and the child needs to know this.

React

- You can ask questions and may need to in certain instances. However this is not an opportunity to interrogate the child and go into the territory of in depth and prolonged questioning. You only need to know the salient points of the allegation that the child is making.
- Do not ask 'leading' questions, for example, "What did he / she do next?" (this assumes that he / she did), or "Did he touch you?" Such questions may invalidate your evidence (and the child's) in any later prosecution in court.
- Always ask open questions using the words "Who", "What", "When", "Where", "Why" and "How". When you ask questions using these words it is impossible to get a "Yes" or "No" answer.
- Do not criticize the perpetrator as the pupil may still have a positive emotional attachment to this person.
- Do not ask the pupil to repeat their allegation to another member of staff. If they are asked to repeat it they may feel that they are not being believed and / or their recollection of what happened may change.

Record

- Take notes as soon as it is practical to do so. Record the actual words spoken by the child – do not re-translate them into the way that adults speak or try to make sense of the structure of what was said). Do not be offended by any offensive language or words used to describe the abuse).
- Time and date your notes and do not destroy them in case they are required by a court.
- If you are able to do so then draw a diagram to indicate the position of any bruising but do not ask the child to remove any clothing for this purpose.
- Record statements and observable things, rather than your interpretations' or assumptions.

Final Steps

- Once you have followed the above guidelines, pass the information on immediately to the Designated Person or the person with responsibility for Child Protection. They will then have a number of options open to them, including contacting the Children's Central Advice Referral and Assessment Team to seek their advice as to what should happen next.
- If that person is not available and you are unsure about what to do then contact the Children's Central Advice Referral and Assessment Team on 635700 for advice and guidance.

The Statutory Basis of Child Protection

Children Act 1989

The Children Act 2004

Safeguarding Children in Education – the role of Local Authorities and Governing Bodies under the Education Act 2002 Circular 005/2008.

The governing body has a duty under section 175 of the Education Act 2002 to ensure “that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of children....”

Appendix B:

Information and Guidance Booklet for Schools (March 2011)
See separate document

Appendix C:

Whistleblowing Fact File 04/12
See separate document