



## **PORTHCAWL COMPREHENSIVE SCHOOL CHILD PROTECTION POLICY**

### **PREAMBLE**

The Bridgend Community Strategy 2004-16 strongly promotes the values of inclusion. In particular, it is vital that vulnerable and excluded people are supported to maximise their potential and live as full a life as possible.

Protecting children and young people from abuse is a shared responsibility for everyone and Porthcawl Comprehensive School fully recognises the part it plays in this process. It should never be assumed that somebody else will recognise and report the signs when children or young people are at risk.

The work of staff in child protection is governed by a number of statutory frameworks, circulars and guides to practice.

Working together to Safeguard Children – (WAG 2004)

All Wales Child Protection Procedures ( 2007)

The Framework for the assessment of Children in Need and Their families (Department of Health 2000)

National Assembly for Wales Circular 45/2004 Staff Disciplinary Procedures in Schools

Education Act 2002

National Employers' Organisation for School Teachers (NEOST) document 2002

Children Act 1989

Children Act 2004 – Section 28

Human Rights Act 1998

UN Convention on the Rights of the Child

Bridgend County Borough Council – Education, Leisure and Community Services Umbrella of safety (2000)

Local Safeguarding Children Boards Regulations (2006)

The Children and Young People's Plan (Wales) Regulations 2007

### **U.N. Convention on the Rights of the Child**

The Welsh Assembly Government has adopted this as the basis of its work for children and young people in Wales. The convention rights have been translated into 7 core aims which should ensure that all children and young people:

- ❖ Have a flying start in life
- ❖ Have a comprehensive range of education and learning opportunities
- ❖ Enjoy the best possible health and are free from abuse, victimisation and exploitation
- ❖ Have access to play, leisure, sporting and cultural activities
- ❖ Are listened to, treated with respect, and have their race and cultural identity recognised
- ❖ Have a safe home and a community which supports physical and emotional well-being and –
- ❖ Are not disadvantaged by poverty

**Section 28 of the Children Act 2004** places a duty on local authorities and their partner agencies to safeguard and promote the welfare of children. In addition, **section 175 of the Education Act 2002** requires local authorities and governing bodies of maintained schools to have arrangements for exercising their functions with a view to safeguarding and promoting the welfare of pupils. Schools should provide a safe and stable environment for children and young people and can teach them about staying safe and how to speak up if they have worries or concerns.

### **DCSF Guidance**

The DCSF issued guidance in January 2007 – *Safeguarding Children and Safer Recruitment in Education*, explaining how LAs and governors can discharge their duty. Governing bodies have to ensure that the school has appropriate policies and procedures for safeguarding children's safety, including safe staff recruitment procedures, and procedures for dealing with allegations of abuse against staff and volunteers. The governors must also ensure that there is a senior

member of the leadership team designated to take lead responsibility in child protection issues.

<http://www.teachernet.gov.uk/wholeschool/familyandcommunity/childprotection/>

**The Department of Health** has also issued guidance as to what to do if you are worried that a child is being abused. This has been produced to help anyone who works with children to safeguard their welfare by ensuring quick action.

A DoH Report *Safeguarding Children: The Joint Chief Inspectors' Report on Arrangements to Safeguard Children* can be found on:

[www.dh.gov.uk/PublicationsAndStatistics/fs/en](http://www.dh.gov.uk/PublicationsAndStatistics/fs/en)

See also: [www.legislation.hmsso.gov.uk](http://www.legislation.hmsso.gov.uk)

Where child abuse involves a sexual offence - the **Sexual Offences Act 2003** (statutory from May 2004) contains some new and some redefined criminal offences affecting people who work in schools and colleges.

**Section 21** defines a person in a position of trust:

A person 'in a position of trust' is one who 'looks after persons under 18 who are receiving education at an educational institution', and 'the victim is receiving education and the offender is not receiving education at that institution'.

The Act also distinguishes between sexual offences committed by children against each other where the sexual activity is exploitative and sexual activity which is undertaken with mutual and informed consent.

It is also incumbent on schools to prevent unsuitable people from working with children. There are three processes in place to prevent unsuitable people from working with children and young people:

- pre-appointment checks
- Criminal Records Bureau checks and Independent Safeguarding Authority (ISA) checks
- arrangements for reporting individuals to the Secretary of State on the grounds of misconduct

Checks have to be made on school staff at the time of appointment. Some of the checks are mandatory in law, while others are strongly recommended. Schools should make all the checks unless there are overriding reasons for not doing so. The Department recommends that the following checks should be made on all people (including volunteers) who come into contact with children:

- **Identity (e.g. by asking for proof of identity)**
- **Academic qualifications (eg by asking to see a relevant certificate)**
- **Health**
- **Professional and Character References**
- **Previous Employment History - GTCW**
- **Criminal Record Check – CRB and ISA**
- **Qualified Teacher Status (QTS)**

### **Vetting and Barring Scheme**

The system of safeguards to protect the welfare of children was strengthened further with the ***Safeguarding Vulnerable Groups Act 2006***, which in effect introduced the new Vetting and Barring Scheme recommended by the Bichard Inquiry in 2004. Under the Act, List 99 and the **Protection of Children Act** list have been integrated to create a single list of people barred from working with children and there is a separate but aligned list of people barred from working with vulnerable adults. There is now an expert board (the **Independent Safeguarding Authority**) to make barring decisions and a central record of all bars and restrictions on people working with children and vulnerable adults. It will be continuously updated with new information such as convictions or employer referrals and employers will be notified if the status of an employee changes during their employment.

The vetting and barring scheme has not taken away the need for employers to require enhanced CRB checks for individuals working with children. ISA registration will confirm that an individual is suitable to work with children. Information disclosed on a CRB disclosure may be relevant for suitability for the particular post in question. [www.isa.gov.org.uk](http://www.isa.gov.org.uk)

Anyone appointed to teach in a maintained school or non-maintained special school must either have QTS, or be exempted.

Exempted persons are:

- **trainee teachers on teaching practice**
- **teachers working towards QTS on an employment based programme**
- **overseas trained teachers ( outside the European Economic Area)**
- **unqualified teachers ( e.g. instructors)**

**Overseas Candidates** – extra care is recommended as some countries do not provide the same level of coverage as the UK.

See [www.teachernet.gov.uk/wholeschool/overseastrainedteachers](http://www.teachernet.gov.uk/wholeschool/overseastrainedteachers)

Further information about criminal record information that might be obtained from overseas police forces is available from:

***The Teachers' Misconduct Team, Pupil Support and Independent Schools Division, DCSF, Mowden Hall, Staindrop Road, Darlington, DL3 9BG, Telephone enquiries: 01325 392098/392099 or 3962110, email:***

[tsm.casework@dfes.gsi.gov.uk](mailto:tsm.casework@dfes.gsi.gov.uk)

## **Guidance**

Guidance on the processes observed by the DCSF is contained in **Preventing Unsuitable People Working with Children: Guidance for Education Staff**, available from the Teachers' Misconduct Team, and on the DCSF website.

## **Managing Child Protection within Porthcawl Comprehensive School**

Managing child protection within the school follows the Allegations of Abuse guidelines issued in January 2002. The school has a 'designated teacher' and deputy along with a 'nominated governor', who between them co-ordinate action within the school, with child protection agencies and with the police.

In addition, all school staff are expected to play a part in the prevention of abuse, and in maintaining a safe environment.

The school ensures that all staff have had relevant training in child protection procedures, and the part that all staff, including support staff, can play in improving protection.

## **Useful References:**

Safeguarding Children and Safer Recruitment in Education 2007;

Working Together to Safeguard Children 1999;

Keeping your child safe on the Internet ([www.wiseuptothenet.co.uk](http://www.wiseuptothenet.co.uk) or available in hard copy from 0800 77 1234 );

Circular 4/99, Physical and Mental Fitness to teach of Teachers and of Entrants to Initial Teacher Training

Criminal Justice and Court Services Act 2000

Rehabilitation of offenders Act 1974

Protection of Children Act 1999

Children Act 2004;

The Child Protection and Safeguarding Handbook for Schools. A comprehensive guide to policy and practice (available November 2009)

Optimus Education

The ISA website: <http://www.isa.gov.org.uk/>

## **POLICY**

Our policy applies to all staff, governors and volunteers working in the school. There are five main aims of our policy:

1. To ensure we practice safe recruitment in checking the suitability of staff and volunteers to work with children. All staff appointed to the school will be subject to enhanced CRB checks and information will be sought from the Independent Safeguarding Authority where it is deemed necessary
2. To raise awareness of child protection issues and to equip children with the skills needed to keep themselves safe.
3. To develop and then implement procedures for identifying and reporting cases, or suspected cases, of abuse.
4. To support pupils who have been abused in accordance with his/her agreed child protection plan.
5. To establish a safe environment in which children can learn and develop.

We recognise that because of the day-to-day contact with children, school staff are well placed to observe the outward signs of abuse. The school will therefore:

- establish and maintain an environment where children feel secure, are encouraged to talk, and are listened to
- ensure children know that there are people in school whom they can approach if they are worried
- include opportunities in the PSE curriculum for children to develop the skills they need to recognise and stay safe from abuse

The Headteacher Mr. A. Slade must ensure that:

- the school's policies are implemented and are known and followed by staff;

- there are sufficient resources to enable the designated member of staff to carry out their functions;
- staff are able to raise any concerns about poor or unsafe practices; and
- concerns are properly addressed.

The Designated teacher Mrs. J. Sloggett and deputy Ms. R. Gould must:

- refer all suspected cases of abuse to the appropriate authorities;
- ensure all staff have training to recognise and identify signs of abuse, and to know when it is appropriate to make a referral, and to understand how child protection procedures operate;
- ensure every member of staff knows the name of the designated teacher responsible for child protection
- ensure that parents/guardians/carers have an understanding of the responsibility placed on the school and staff for child protection by setting out its obligations in the relevant policies and information leaflets;
- keep written records of concerns about children, even where there is no need to refer the matter immediately;
- ensure all records are kept securely, separate from the main pupil file, and in locked locations;
- aim to raise awareness of child safety issues in the school;
- ensure that policies and procedures are kept up-to-date;
- ensure that governors and parents are kept informed;
- emphasise the need for good levels of communication between all members of staff;
- honour a statutory obligation to work with other agencies, to promote an understanding and build relationships with these agencies;
- monitor children who have been identified as 'at risk';
- ensure that, where a pupil on the CPR leaves, their information is transferred to the new school immediately and that the child's social worker is informed;
- work in partnership with the nominated governor Mrs. A. Thomas

The Governors:

- The governing body will appoint a named governor to liaise with the school's designated teacher on safeguarding pupils issues.

- The governors will also appoint a designated teacher for safeguarding pupils and ensure that he/she is trained and receives further updating at least every two years.
- The governing body will receive and consider annually a report from the Head on safeguarding pupils in the school.
- The named governor will determine appropriate training (in liaison with the designated teacher) for the governing body.
- The governing body will determine any changes to the school's policies and procedures as appropriate.
- The governing body is responsible for reviewing and amending the policy as appropriate.

### Parental Consent

- Referral as 'child in need' – parental consent must be sought
- Referral as 'child protection' – parental consent would only be sought after consultation with social services when a verbal referral is made.
- Personal information about children and families held by professionals and agencies is subject to a legal duty of confidence and should not normally be disclosed without the consent of the subject. However the law permits the disclosure of this information if it is necessary to safeguard the welfare of the child.
- The needs of the child must come first.

### Allegations against Staff

The abuse of a child or young person by a fellow member of staff can be a particularly difficult and potentially damaging matter to deal with. If there are concerns regarding a colleague, STAFF MUST be prepared to "Think the Unthinkable".

**Any doubts or uncertainties about a colleague must be raised immediately, with the Headteacher/designated member of staff with responsibility for child protection. They must then discuss the matter with the Local Authority Child Protection Co-ordinator who will be able to offer further advice and, if appropriate, will make the necessary referral to Social Services and/or the Police.**



Headteachers must **not** inform the member of staff who is the subject of a concern or undertake their own enquiries. Such complex issues must involve the Police and Social Services.

Referrals can be made under the Authority's Whistleblowing policy if concerns are not addressed.

Allegations and suspicions of abuse of a child by a professional/volunteer working in their professional or private capacity should be referred to Social Services or the Police.

The Social Services Child Protection Co-ordinator will:

- Notify the relevant senior manager in the employing agency.
- Have a strategy discussion with the police and where appropriate, with the relevant senior manager in the employing agency.

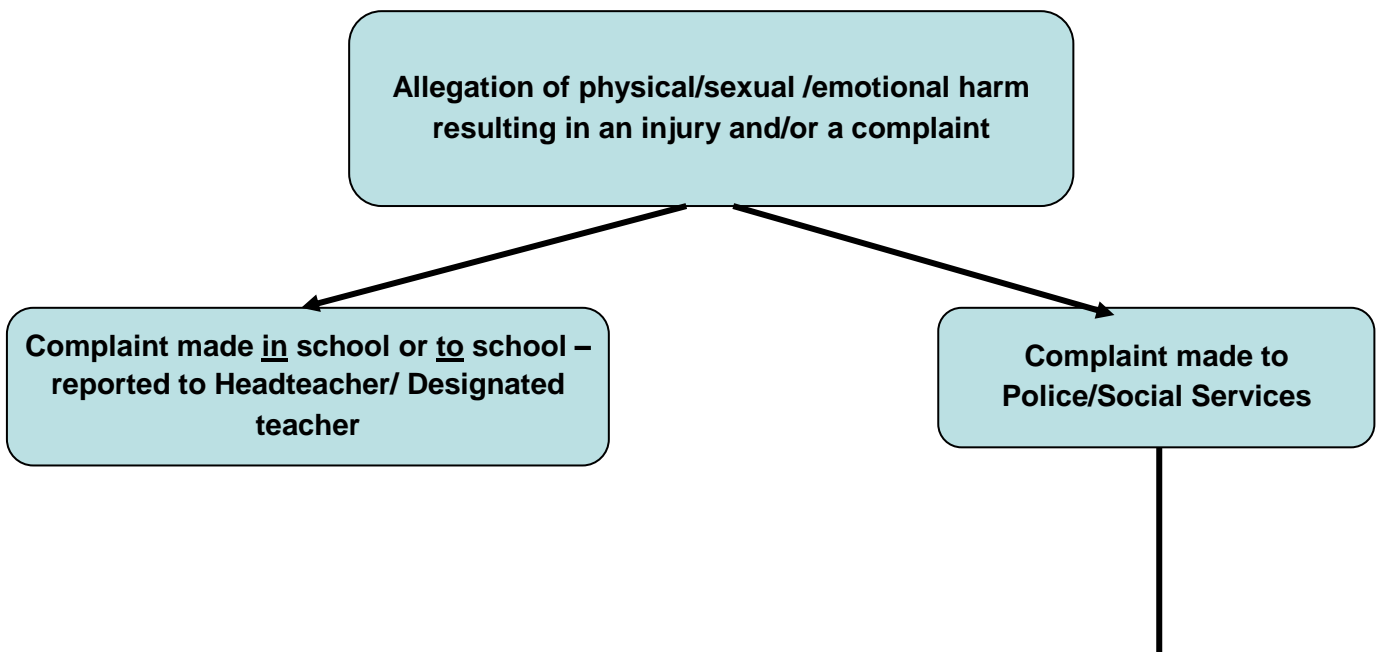
Where the Social Services Child protection Co-ordinator and the Police agree that a strategy meeting is needed the Social Services Co-ordinator will convene a strategy meeting within forty eight hours of referral and ensure that preliminary information gathering is undertaken prior to the strategy meeting.

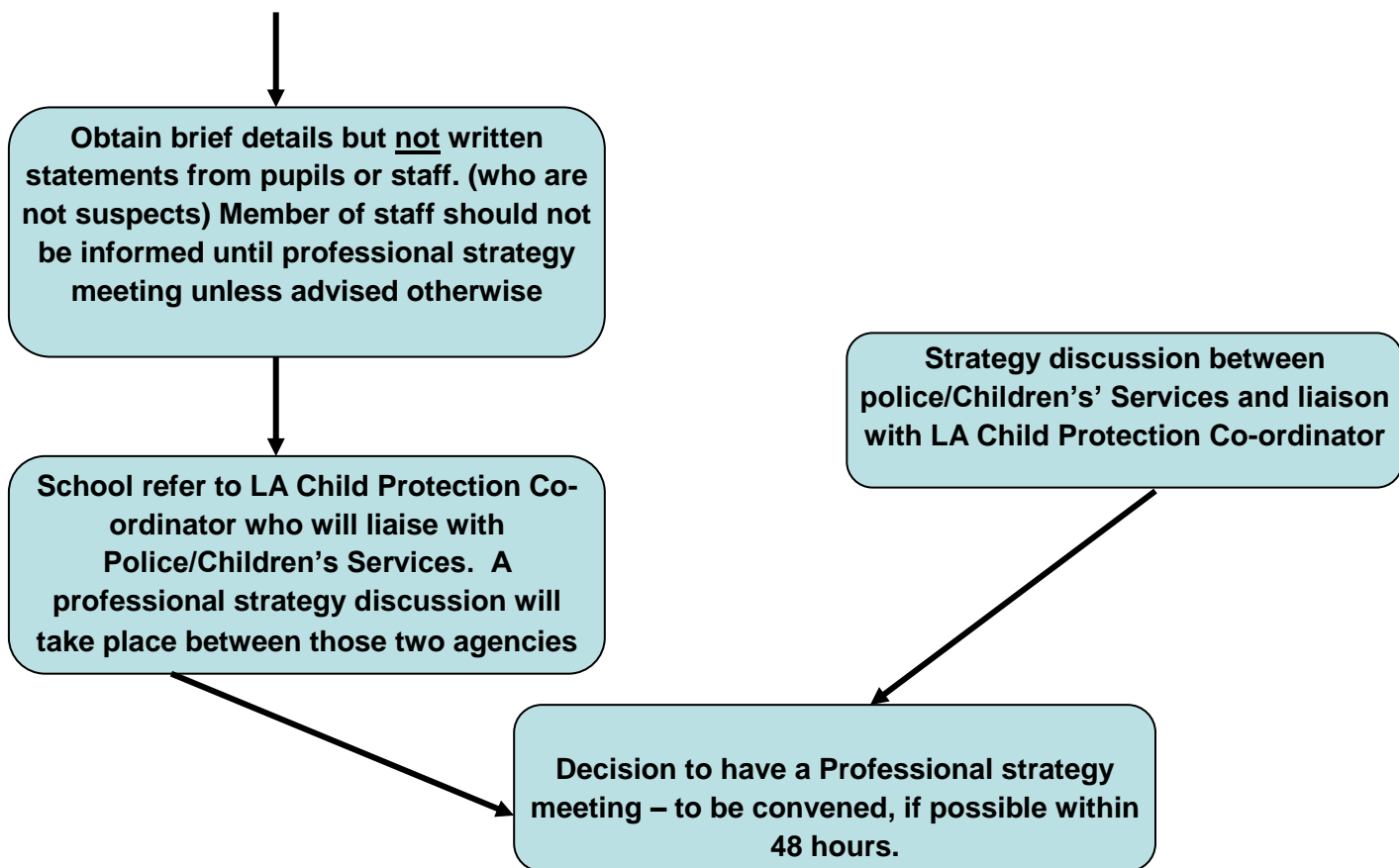
For more information please refer to:

- NEOST document 2002
- Welsh Assembly Circular 52/95 protecting Children from Abuse
- NAW Circular 45/2004 – Staff disciplinary procedures in schools

There is a referral process that must be adhered to (see below).

### **ALLEGATIONS AGAINST STAFF – FLOWCHART**





## PROCESS

The School has identified the following processes whereby children at risk can be identified and their needs responded to promptly and efficiently.

### Definition of an Abused Child (All Wales Child Protection Procedures)

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 institutional setting, by those known to them or, more rarely, a stranger. A child or young person up to the age of eighteen years can suffer abuse or neglect and require protection via an interagency child protection plan.

There are four categories of abuse:

- Physical Abuse
- Emotional Abuse
- Neglect
- Sexual Abuse

### Significant harm

The Children Act 1989 introduced the concept of **significant harm** as the threshold that justifies compulsory intervention in family life in order

to protect children. Significant harm is defined in the legislation as the ill treatment or the impairment of health and development. It describes the effects of sexual, physical, emotional abuse or neglect, or a combination of the different types. Local authorities have a duty under section 47 (1) (b) of the legislation (Children Act 1989) to make enquiries where they may have reasonable cause to suspect that a child who lives, or is found in their area is suffering, or likely to suffer, significant harm.

A single, serious event of abuse, such as an incident of sexual abuse, might be the cause of significant harm to a child. However, more frequently significant harm occurs as the result of a long-standing series of events, which interface with and impair the child's development. The significant harm resulting from the corrosive effect of long-term abuse is likely to have a profound impact on the future outcomes for the child.

### Physical Abuse

Physical abuse is defined as hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing 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 may be described as Fabricated/Induced illness or Factitious Illness by carer (previously known as Munchausen syndrome by proxy).

#### Signs and Symptoms - **May include some of the following**

- unexplained injuries or burns, particularly if they are recurrent
- improbable excuses given to explain injuries
- refusal to discuss injuries
- untreated injuries
- admission of punishment which appears excessive
- shrinks from physical contact
- refusal to get changed – keeps arms and legs covered in hot weather
- fears medical help
- self destructive behaviours
- aggression towards others.
- running away
- fears or is reluctant to return home

## 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 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, for example by witnessing domestic abuse within the home, 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.

### Signs and Symptoms - **May include some of the following**

- physical development lags e.g. milestones delayed or underweight, lethargic (there may be medical reasons for this, medical advice essential)
- over-reaction to mistakes
- continual self deprecation
- sudden speech disorders
- fear of new situations
- self mutilation
- extremes of passivity and/or aggression
- Compulsive stealing eg. other children's' packed lunches
- Rocking, thumb sucking, hair twisting etc. (sudden onset)
- Inappropriate response to painful situations

## 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 (e.g. rape or buggery) 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.

## Signs and Symptoms

### **Children from the ages of five to twelve may:**

- hint about secrets they cannot tell.
- say that a friend has a problem.
- ask you if you will keep a secret if they tell you something.
- begin lying, stealing, blatantly cheating in the hope of being caught.
- have unexplained sources of money.

### **Young people from the age of twelve onwards may:**

- Be chronically depressed.
- Be suicidal.
- Use drugs or drink to excess.
- Self-mutilate, show self-hatred.
- Underage pregnancies.

NB. Under the Sexual Offences Act 2003 a child who has not attained their thirteenth birthday cannot in law give consent to a sexual relationship as they do not have sufficient maturity. If a child comes to your attention in this way a referral must be made to Social Services

## Neglect

Neglect is the persistent failure to meet a child's basic physical and or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect or unresponsiveness to a child's basic emotional needs

### **Signs and Symptoms - May include some of the following**

- constant hunger
- poor personal hygiene
- constant tiredness
- inadequate clothing
- frequent lateness or non attendance at school

## **Making children aware that openness is a key feature of Child Protection:**

The school aims to create an atmosphere of openness whereby children can feel secure and that their concerns will be listened to. What they say will be taken seriously and every effort will be made to foster sensitive relationships between staff and pupils. Pupils should be confident to approach adults if in difficulties.

### **Making children aware of Child Protection through the PSE Curriculum**

Child abuse is covered within the PSE lessons. The school has a preventative role to play by looking towards a time when pupils themselves will be parents.

If children are being injured or emotionally abused within the school by fellow pupils, they too will be protected. (re. Anti-Bullying Policy)

### **Internet abuse**

A more recent and disturbing phenomenon is the easy access children have to the Internet. Many schools work with parents in educating children on 'safe surfing'. To do this staff must understand what can be done, which requires training. The Home Office's Internet Child Protection Task Force, which has brought about improved supervision of Chat Rooms, has produced a booklet for parents, which would also be a great help to schools. ([www.wiseuptothenet.co.uk](http://www.wiseuptothenet.co.uk)). Nevertheless there is a general view that cyberbullying via the Internet is on the increase.

## **PROCEDURES**

The following guidelines on procedures are based on the fundamental principle that staff are trained to act professionally, neither jumping to a conclusion unreasonably nor failing to act on genuine concerns.

Child abuse may come to staff attention in a number of ways:

- a child or young person may make a disclosure
- staff may observe bruises/burns or injuries for which there is no plausible explanation
- another child, young person or parent/carer may tell staff something which causes concern
- staff may observe changes in behaviour that are a cause of concern
- staff may instinctively feel something is wrong
- there may be neglect issues

## Monitoring Concerns

### Disclosures

- Always believe what a child is saying, or conversely try not to show disbelief
- Try to remain calm and reassuring
- Listen carefully and quietly – never attempt to cross examine the child/young person or press for evidence
- Try to use non-directive questions
- Do not promise confidentiality
- At this point in time do not discuss your concerns with the parents
- Take notes as soon as you can, using the child/young person's own words. Sign it and date it.
- Inform the designated teacher

### Support

Receiving a disclosure or observing signs of abuse can be very distressing. All staff should discuss their feelings with the designated teacher or other senior member of staff.

### Referrals

A referral should not be seen as an allegation that abuse has necessarily occurred. However, the school has a responsibility to ensure the welfare of all children and occasionally cases may need to be referred to other investigative agencies as a constructive and helpful measure.

Following a disclosure of alleged child abuse being made by a member of staff, the Child Protection Designated teacher or deputy (or Headteacher) will decide whether it is necessary to make a referral refer to social services **verbally** – tel. 642320 duty desk **and fax a written referral (on the appropriate proformas) within 2 working days** - 642260 A copy of the referral should also be sent to the Child Protection team for Education & Youth Service fax: 815273 tel: 815270

### Monitoring and review

The designated teacher will monitor the working of the policy and will report as required to the head.

The head will report to the governors as required on the working of the policy.

## **APPENDICES**

The following documents have a relevance to the Child Protection Policy for Porthcawl Comprehensive School:

Appendix 1 – BCBC “Individual Child Protection Guidance for School Staff” 2011

Appendix 2 – Porthcawl Comprehensive School “A Comprehensive Code of Safe Practice” reviewed September 2012

Appendix 3 – BCBC “Protocol for Safeguarding on Exchange Visits” 2008

Appendix 4 – Porthcawl Comprehensive School “Child Protection Leaflet for Parents” reviewed October 2012

Appendix 5 – Porthcawl Comprehensive School “Policy for Looked After Children” 2011

J. Sloggett October 2012