



Safeguarding and Child Protection Policy and Procedures

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Safeguarding and Child Protection Policy and Procedures

1.1 Policy statement

The Education Network recognises that all children and young people deserve the best possible start in life. They have the right to be protected, be safe from harm and well cared for. The Education Network has a responsibility to ensure the welfare of children is always paramount regardless of their age, gender, disability, language, racial origin, religious beliefs or sexual orientation.

A **child**, as defined by the Children Act 1989, is a person under 18 years of age.

All representatives of The Education Network have a responsibility to report any concerns which come to their attention to their line manager, such as disclosures of abuse or observing children who are at risk. Such concerns will be responded to swiftly and appropriately. We will pay attention carefully to what children say and feel.

The key objectives of this policy are:

To explain the responsibilities The Education Network and its employees and representatives have in respect of child protection;

To provide people with an overview of child protection legislation and definitions;

To provide clear procedures that will be implemented where child protection issues arise.

We are also committed to protecting children through a careful recruitment and selection process, a whistle blowing policy, ongoing supervision and guidance on appropriate behaviour.



All involved in The Education Network will be made aware of this policy and what to do if they have any concerns. **This policy will be reviewed every 12 months.**

1.2 Legal Context

The Education Network's policy and the following procedures reflect the principles contained within United Nations Convention on the Rights of the Child (UNCRC) ratified by the United Kingdom in 1991 and the Human Rights Act 1998.

The Children Act 1989 sets out the legislative framework for safeguarding and promoting the welfare of children. It states that the welfare of the child is paramount in all situations and that children have the right to be involved in decisions that may affect them.

The act also introduced the concept of '**significant harm**' as the threshold that justifies compulsory intervention into family life by the local authority. Children who have suffered and/or are likely to suffer abuse or significant harm are often considered to be **children in need**, as well as children in need of protection. Under the act, children in need are children whose health and development is likely to be impaired without the provision of appropriate services.

The Children Act 2004 underpins the Every Child Matters, Change for Children programme and builds on the principles established in the 1989 act.

Working Together to Safeguard Children (2018) is key government guidance which sets out how all organisations should work together to promote children's welfare and protect them from abuse and neglect. It states that every organisation should have clear procedures in place for dealing with concerns or suspicions of abuse and that these should be in line with the Local Safeguarding Children Board procedures.

2. What is abuse?

Recognising child abuse or maltreatment is not easy and **it is not your responsibility to decide whether or not a child has been abused.** However it is your responsibility to pass on concerns you may have.

Keeping children safe in education September 2016 defines abuse and neglect and gives four clear categories of abuse as:



2.1 What is abuse and neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.

2.2 Physical Abuse

Physical Abuse is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Example of warning signs

Unexplained or unconvincing explanation of recent injuries
Bruises which have a distinct shape or pattern, like handprints, grasp or finger marks
Lingering illnesses
Unusual aggressive or passive behaviour

2.3 Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.



Examples of warning signs

A child who is constantly blamed for things that go wrong
 A child who is made to carry out tasks inappropriate to their age
 A child in a household where there are arguments and violence

2.4 Sexual Abuse

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 or 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.

Examples of warning signs

A child who displays sexual knowledge or behaviour inappropriate for their age
 Injuries or unusual appearance to private areas of the body
 A child who is being encouraged into a secretive relationship with an adult
 A child who hints at sexual activity through words, play or drawings

2.5 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. 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);
- protect a child from physical and emotional harm or danger;



- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Examples of warning signs

A child with illnesses that have not been treated

A child who is constantly hungry or tired

A child who lacks needed medical care

2.6 Specific safeguarding issues

All employees and candidates should have an awareness of safeguarding issues, some of which are listed below. Candidates and employees can access government guidance as required on the issues listed below via GOV.UK and other government websites:

- bullying including cyber bullying
- children missing from education
- child missing from home or care
- child sexual exploitation (CSE)
- domestic violence
- drugs
- fabricated or induced illness
- faith abuse
- female genital mutilation (FGM)
- forced marriage
- gangs and youth violence
- gender based violence/violence against women and girls
- hate
- mental health
- missing children and adults
- private fostering
- preventing radicalisation
- relationship abuse
- sexting
- trafficking



2.7 Procedure in the event of disclosure from a child

It is important that children are protected from abuse. In the event of a disclosure from a child, it is important that you:

- RESPOND -** Stay calm even if what you're hearing is difficult. Respond with minimal encouragers and open body language.
- LISTEN -** Don't ask questions other than to clarify what is being said. Your job is not to investigate, so avoid the child having to repeat their story. Leading questions can also cause 'contamination of evidence' for any subsequent investigation and court proceedings.
- REASSURE -** Reassure the child that they have done the right thing in telling you.
- BOUNDARIES-** Do not promise to keep secrets. Find an appropriate early opportunity to explain that the matter will only be disclosed to those who need to know about it.
- CLARIFY -** What you will do next and with whom the information will be shared. In most cases, concerns should be discussed with parents/carers. The Designated Officer will be key in this. **NB:** If you suspect a child is being sexually abused or is being directly physically harmed through giving or denying medication, then you are advised **not** to discuss with them but refer immediately to Children's Social Care.

These procedures must be followed whenever an allegation is made that a child has been abused. A record must also be made where there is a cause for suspicion of abuse towards a child and discussed with the Designated Officer.

Keeping a good record

When a child protection concern arises, it is essential you record what is said or seen and what action was taken as soon as possible. Without this, information may be forgotten or vital details may be missing. An accurate record should be made of:

- Date and time of incident or disclosure
- Location
- Relevant parties involved, names and their relationship to child



Description of abuse or injuries observed
 Use the child's own words where possible.
 What was said or done and by whom.
 Ensure that the record is signed and dated.

This information will always be kept up to date and in a secure place, only available to those people that need to know. This will include the Senior Manager or Chair of Trustees and the Designated Officer for child protection.

3 The role of the Designated Officer for child protection

No one should deal with child protection concerns on their own. If The Education Network staff, management or trustees have any cause for concern around the abuse of a child or the behaviour of other staff or trustees they should speak to the Designated Officers for Child Protection on that working day where possible.

The role of Designated Officer for The Education Network is to:

- Ensure that the child protection policy and procedures are followed and updated;
- Receive concerns from staff, management and trustees and record it appropriately;
- Assess the information promptly and carefully;
- Consult with Children's Social Care and local Police in order to make a referral;
- Keep relevant The Education Network staff, representatives, management and trustees informed about action taken and required.

The Designated Officers for child protection for The Education Network are Sarah Howard and Nicola Moxon.

This is to be reviewed every 12 months in line with the policy update.

It is not the role of the Designated Person(s) to decide whether or not a child has been abused. It is their responsibility to ensure that concerns are shared and prompt appropriate action is taken.



3.1 Sharing Information – Confidentiality and Data Protection

Child protection raises issues of confidentiality which should be clearly understood by all.

Staff and representatives have a responsibility to share relevant information about the protection of children with other agencies, particularly investigative agencies.

Clear boundaries of confidentiality will be communicated at all times to service users. Staff must only discuss their concerns with their line manager or the Designated Officer for child protection. It is their decision to pass on their concerns to agencies that need to know.

Where possible, consent should be obtained from the child before sharing personal information with third parties. Where a disclosure has been made, staff and representatives should let the child know the position regarding their role and what action they will take as a result and why. In some circumstances, obtaining consent may be neither possible nor desirable as the safety of the child is paramount.

All child protection records should be kept secure and accessible only by relevant staff.

3.2 Prevent (Radicalisation of vulnerable people)

Prevent is one of the four key principles of the CONTEST strategy, which aims to stop people becoming terrorists or supporting terrorism. The Prevent Strategy addresses all forms of terrorism including extreme right wing but continues to prioritise according to the threat posed to our national security. The aim of Prevent is to stop people from becoming terrorists or supporting terrorism and operates in the pre-criminal space before any criminal activity has taken place.

Radicalisation refers to the process by which people come to support, and in some cases to participate in terrorism

Violent Extremism as defined by the Crown Prosecution Service (CPS) as the demonstration of unacceptable behaviour by using any means or medium to express views which:

- foment, justify or glorify terrorist violence in furtherance of particular beliefs;
- seek to provoke others to terrorist acts;
- foster hatred which might lead to inter-community violence in the UK



If you have any concerns that a child or young person is at risk of radicalisation, contact the MASH for discussion and referral. If you believe a child or young person is at immediate risk contact the police on 999.

3.3 Procedure for reporting child protection concerns

Concerns about child abuse may be brought to your attention in different ways.

For example:

- A child tells you (i.e. discloses) that he/she is being abused
- Someone tells you that they have grave concerns about a child
- A child's behaviour may indicate abuse
- A worker's behaviour changes or focuses inappropriately on a particular child

It is not your responsibility to decide whether or not abuse has taken place. Please follow the following procedure:

Discuss your concerns with the Designated Officer or a senior member of staff if the Designated Officer is not available.

If you suspect a child is being sexually abused or is being physically harmed through giving or denying medication, or if discussing with the parents/carers will make the situation dangerous for the child or for you, then you **must not** discuss with the parents/carers.

Contact the Multi-agency Safeguarding Hub (MASH) Team

If you are still concerned after speaking to the parents/carers, or if you are not sure what to do, contact the MASH Team. This is the role of the Designated Officer.

If possible, ask the parents/carers for their permission to share information with the MASH Team. The Police can also be contacted where relevant.

Be prepared to give the following information:

- Your name



- Your address
- Your telephone number
- Your role in the organisation
- Clear details given from your records of the incident or disclosure
- The action you have taken so far, including whether or not you have spoken to the parents/carers and whether or not they have given you permission to pass on your concerns.

A telephone call to the Multi-Agency Safeguarding Hub team must be followed up within 48 hours with a [completed inter-agency referral form](#) detailing the main points of the conversation. This is the responsibility of the Designated Officer.

The Multi-Agency Safeguarding Hub team are responsible for the course of action. The decision should be made within one working day and you should be advised of the decision.

4. Managing allegations made against staff and representatives

This guidance should be used in respect of all cases in which it is alleged that an agency worker has:

- Behaved in a way that has harmed a child; or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

4.1 In this instance, the following steps should be taken:

- Details of the allegation must be provided in writing by the client as soon as possible, including any witness statements.
- Details of the allegation must be forwarded to the Designated Safeguarding Officer and a decision as to whether to stand the worker should down from any bookings as a protective measure for both clients and the worker themselves



- should be made, Suspension should not be an automatic response when an allegation is reported – for example can the worker be placed in a booking that does not involve direct contact with children?
- After confirming with the client that we can discuss the details of the allegation with the worker, the worker should be contacted in order to obtain their version of events. If the Police are involved in the case, the allegation must not be discussed until we have their consent.
- If the candidate is PAYE an investigation meeting should be arranged in order to discuss the event and to decide whether any disciplinary action is appropriate. If the worker is engaged via an Umbrella company, we are unable to take any disciplinary action however we can chose to cease representing the worker.
- If the worker resigns or ceases to provide their services, this should not prevent an allegation being followed up. **A referral to the DBS must be made if the criteria are met as per our legal duty.**

4.2 On conclusion of a case

If the allegation is substantiated and the person is dismissed or The Education Network ceases to use the person's services, or the person resigns, or otherwise ceases to provide his or her services, the Designated Officer should discuss whether or not to make a DBS referral for consideration of whether inclusion on the barred lists is required; and, in the case of a teacher, whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

5. References

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in a reference. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

6. Information Sharing



Fear about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect. No one should assume that someone else will pass on information which may be critical to keeping a child safe. Poor or non-existent information sharing is a factor repeatedly flagged up as an issue in Serious Case Reviews carried out following the death of, or serious injury to, a child.

Whilst the Data Protection Act 1998 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm.

6.1 Principals of Information Sharing

The principals set out below are intended to help people working with children share information between organisations. You should use your judgement when making decision on what information to share and when and should follow The Education Network procedures. Branch Managers **must** be notified of the intent to share information.

Necessary and Proportionate

When taking decisions about what information to share, you should consider how much information you need to release. The Data Protection Act 1998 requires you to consider the impact of disclosing information on the information subject and any third parties. Any information shared must be proportionate to the need and the level of risk.

Relevant

Only information that is relevant to the purposes should be shared with those who need it. This allows others to do their jobs effectively and make sound decisions.

Adequate

Information should be adequate for its purpose. Information should be of the right quality to ensure that it can be understood and relied upon.



Accurate

Information should be accurate and up to date and should clearly distinguish between fact and opinion. If the information is historical then this should be explained.

Timely

Information should be shared in a timely fashion to reduce the risk of harm. Timeliness is key in emergency situations and it may not be appropriate to seek consent for information sharing if it could cause delays and therefore harm to a child. Practitioners should ensure that sufficient information is shared, as well consider the urgency which to share it.

Secure

Wherever possible, information should be shared in an appropriate, secure way. Please refer to the Data Protection policy.

Record

Information sharing decisions should be recorded whether or not the decision is taken to share. If the decision is to share, the reasons to share must be cited including what information has been shared and with whom.

When and how to share information

Please refer to the flowchart when deciding what information to share.



Process
Flowchart.pdf

6.2 Release of personal data in relation to crime

Section 29 of the Data Protection Act provides The Education Network with the facility to release personal data to a third party for the following reasons:



1. The prevention or detection of crime
2. The apprehension or prosecution of an offender

6.3 Valid requests

A valid request must normally be made in writing, or in another permanent recorded form. Requests made by telephone or in person are not acceptable.

A written request should be made using a standard Police form (also known as a Section 29(3) form), approved by the ACPO. The information provided must normally include:

- A summary of the reason why the information is required
- Details identifying the candidate about whom personal data is being sought
- The precise information required about the individual
- The name, rank, and number of both the requesting and authorising Officer

Where the request has been received from a Local Authority it is the responsibility of the person releasing the data to determine whether the request has been made with an equivalent level of detail and authorisation to that expected of the Police in similar circumstances.

Requests for release of information to the Police or any other body for the prevention or detection of crime must be managed by one of the following only:

- **Branch Manager**
- **Director**

6.4 Recording Information

All requests to release information for the purposes of crime must be documented for audit purposes, such documentation to include a copy of the request, the initial assessment of the request and a summary of the action taken. This must be held separately from the candidate file and access to this must be strictly controlled.



Appendix A – Organisational Chart

