

### **Child Protection Records held within Settings**

This section provides guidance to schools and other educational establishments on record keeping, to enable the designated member of staff with a responsibility for child protection to ensure that all child protection information and concerns are kept in an appropriate and useful manner.

Deficiencies in record keeping have been identified by several child death enquiries as a problem area that requires attention from all agencies.

Good record keeping is essential in safeguarding the welfare of children and young people, particularly with regards to children/young people who are subject to child protection plans or who are identified as vulnerable. For this reason, it is advisable to carry out a regular audit of all child protection information kept in school, to ensure that procedures are being followed correctly.

#### **1. What kind of information should be recorded?**

Any member of staff who has a concern about a child should make a written note. This must be passed on to the designated person, (although a personal copy may be kept in a secure place). The note should be timed, dated and signed, with your name printed alongside the signature.

Notes must be made as soon as possible and certainly within 24 hours of the incident giving rise to the concern. (This is important, in case the note is needed for submission to court). Notes do not have to be officially (or beautifully!) presented. The important thing is that they are:

- Factual
- Using a child's own words where possible
- A record of what you saw and heard

Professional opinions are acceptable but only if you state the facts or observations upon which your opinion is based.

If a referral is made to the Assessment Team or Thames Valley Police, Child Abuse Investigation Unit a written record of all concerns held should be sent and a copy of the referral should be kept by the school.

#### Nagging Doubts about a Child's Safety and Welfare

Sometimes, things which seem to be insignificant or trivial at the time turn out to be vital pieces of information later.

A record should be made of any information, including hearsay and 'nagging doubts', which give you cause for concern about a child. Much of this information may not appear to be very significant on its own, but it could contribute to a 'jigsaw' picture of abuse that should not be ignored. Remember no concern is too small

If there has been no specific incident or information, make a written note. Try to identify what is really making you feel worried. Record these concerns on the same record of concern form for your records.

It is crucial that actions and outcomes are recorded on these forms, including any consultation that has been carried out with any other professionals.

#### **2. How should notes and reports be made?**

It is impossible to say, at the time of making a child protection note, who will eventually have access to it, or when. It may be consulted months or even years after it was written. Always bear in mind that someone who is a complete stranger to you and your school may need to read your record at some stage in the future.

Ideally, logs of incidents should be typed. If hand written, notes should be clearly legible and written in ink. All notes and reports must contain the following:

- Date of the incident
- Date and time of the record being made
- Name and date of birth of the child(ren) concerned
- A factual account of what happened, and the location where the incident took place (keeping it in the child's words)
- A note of any other people involved e.g. as witnesses
- Questions that the adult asked (remember do not ask leading questions)
- Action taken, and any future plans e.g. monitor and review
- Any other agencies informed:
  - Names,
  - Dates,
  - Times of anyone spoken to.
- Printed name of the person making the record
- Job title of the person making the record
- Signature (print name alongside)

The source of the information should be identified e.g. 'Mrs Bell, a midday supervisor, informed me that...' Or 'I saw John in the playground at break time....'

Information should be factual or based on fact. Record what you saw, heard etc. and try not to be vague or woolly (e.g. 'Jenny was crying and rocking' rather than 'Jenny was upset')

Opinion is acceptable provided that you can give some justification for holding it (e.g. 'Sam ran and hid under the table when his mother arrived to take him home and clung to me when I tried to get him out. He appeared to be frightened.')

Make a note of what you have done with the information (e.g. 'I consulted the Headteacher, Mr Wilson, and he said he would...')

Try to avoid specialist jargon (e.g. 'he is SAP') which someone from another agency would not necessarily understand, right the information in full (School Action Plus)

### **Records and Reports for Child Protection Conferences**

Reports prepared for Child Protection Conferences should focus on the child's:

- Educational Progress and Achievements
- Attendance
- Behaviour
- Participation
- Relationships with other children and young people
- Appearance, (where appropriate)
- Interaction with other children and adults

If relevant, reports should include what is known about the child's relationships with his or her family and the family structure. Reports should be objective and based on evidence. They should distinguish between fact, observation, allegation and opinion.

Settings should:

- Make reports available to the child's parents prior to the Child Protection Conference unless to do so would place the child at risk of significant harm
- Provide written reports to the Child Protection Conference
- Arrange for an appropriate person from the school to attend the Child Protection Conference

### **3. Where should child protection information be kept?**

The child protection file should contain all reports, notes and correspondence referring to a child. This should be kept in one secure place e.g. a locked filing cabinet in the Designated Safeguarding Lead's office. Files on extended family members should be kept together and cross-referenced. This file should be kept separate to the child's educational school record.

A note or symbol (e.g. a blue star) should be placed on the cover of the school file for the child, indicating that there is a child protection file relating to the child. All staff who may need to consult the child's school file should be made aware what the symbol means, and who to consult if they see it.

### **4. Who should have access to child protection information?**

Access to the information on file should be on a need-to-know basis among the staff. This can only be decided on a case-by-case basis. The confidentiality of the child and family should be respected as far as possible, but the welfare of the child is paramount. It would be unlikely that every member of staff would need to know the details of a case. Generally speaking, the closer the day-to-day contact with the child, the more likely the need to know an outline of the case. The school report to the child protection conference should be shared with the parent(s) before the conference takes place. All information must be shared with Social Worker and/or Police and Health, as appropriate, where there is concern that a child is at risk of significant harm.

Child protection information should not ordinarily be shared with agencies other than these statutory agencies e.g. information should not be released to solicitors etc. Where such a request is made, it is best to seek further advice and guidance from the relevant LADO team (see Part 1 Section 11).

Child Protection records can be kept on computer and are exempt from the disclosure provisions of the Data Protection Act 1984. For manual records, the Education (School Records) Regulations 1989 exempt information relating to child abuse from the requirement of disclosure. However, in cases of alleged child abuse which come to court, the school may be required to provide its child protection records.

### **5. What should happen to the information when a child leaves the school/ How long should information be kept?**

If the child is moving to another school, the complete child protection file should be sent, under separate cover from the regular school file. It should be marked 'Confidential, Addressee Only', and should go to the Head Teacher or designated safeguarding lead of the receiving school. Where a pupil of 16+ years is taking up a college place, the file should be sent to the designated safeguarding lead for the receiving college or further education establishment. All relevant information including nagging doubts should be shared.

Where a pupil leaves with no Further Education (FE) place identified, the file should be retained at the school until the child's 24th birthday. There is no need to keep a copy of material sent to a new school unless, at the discretion of the designated person, there are exceptional reasons for doing so.

The following form, copies onto school headed paper can be used to prove that a CP file has been passed on and accepted by the new setting:

School name:	
Child's name:	
Date:	Person transferring file:
By signing this form, I am confirming that I have received the safeguarding/CP file for the above-named person who is now on role at our setting.	
Print name:	Signature:

**Copies of child protection information should be kept by the final school placement until the child's date of birth + 25 years.**

Information of a child protection nature relating to an allegation against a member of staff, including where the allegation is unfounded, should be kept until the person's normal retirement age or 10 years from the date of the allegation if that's longer.

### **6. Sharing Information with other Schools/Agencies**

Conversations between designated personnel at different schools (e.g. sharing concerns or asking for information about sibling groups) are perfectly acceptable. Where possible, consent from parents should be sought before a conversation takes place. Any relevant child protection information coming to light should be carefully logged.

If a child protection file has been started for a child who then moves school, the entire contents of the file should be sent to the receiving school/college.

The information should be sent under separate cover to the school file, in a sealed envelope to the Headteacher, marked 'Strictly Confidential'.

If a child moves without a forwarding address for home and school and no contact is received from a new school the county's Missing Pupil Procedures should be followed.

Where a child is removed from roll to be educated at home the school's child protection file should be copied to the Local Authority as soon as possible.

Remember:

- Monitor the child and record observations as factually as possible.
- A direct disclosure from a child or young person should be referred immediately to the appropriate social work team.

The principles of Safer Recruitment are an essential foundation to establishing a safe environment for pupils, ensuring those unsuitable to work with children are identified and tackled before they become part of your school community.

Keeping Children Safe in Education (KCSIE) 2020 updates the requirement for all education providers to have in place a Code of Conduct which support staff to understand acceptable boundaries to their behaviours both onsite and in their daily lives generally including their use of technology and social media.

This should be informed by the revised guidance offered by the Safer Recruitment Consortium – Sept 2019 (“Guidance for safer working practice for staff working with children and vulnerable adults”) and Buckinghamshire Council will support both the individual job description and the individual educational settings to ensure these are compliant.

Buckinghamshire Council also provides a safer recruitment policy that schools should follow to ensure they comply fully with the requirements of KCSIE 2020.

Buckinghamshire policies are clear about what constitutes practices that are “safe” and “unsafe”. Practice and our robust well thought out Code of Conduct offers better protection for all, staff, pupils and families.

### **Pre-Employment Checks**

Part 3 of Keeping Children Safe in Education 2020 clearly details the responsibilities held by schools for ensuring safer recruitment processes are in place and robustly adhered to.

The Human Resources Manager at Buckinghamshire Council will support Head Teachers and governors through the safeguarding aspects of the recruitment process.

The Three Schools expect safer recruitment processes to be followed irrespective of who the candidate might be or what schools think you might know of the candidate. Buckinghamshire Council HR have suitable resources and materials to support The Three Schools through the recruitment process including job descriptions, person specifications and interview/recruitment materials designed to support this aspect.

The Single Central Record (SCR) of a school should provide an auditable means to evidence the principles of safer recruitment have been adhered to i.e. evidence of identity, DBS and Border Agency checks carried out, take-up of references, photographic ID, checks carried out on the Prohibited Orders list, etc.

When recruiting staff from abroad or who may have worked or qualified overseas, evidence must be retained of the checks carried out to ensure candidates from outside the EEC have a work or other visa for the UK and that, for all candidates, there are no safeguarding concerns in their country of origin or overseas work with children which might preclude the staff member from working with children.

When appointing new staff, schools must:

- verify a candidate’s identity;
- obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity – together with a section 128 check for those who will be engaged in management)
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Ask relevant staff to self-declare that they are not disqualified under the Childcare Act 2006
- verify the candidate’s mental and physical fitness to carry out their work responsibilities.
- verify the person’s right to work in the UK.
- verify professional qualifications, as appropriate.

- academies and free schools must check that a person taking up a Governor or management position where it is not possible to carry out a barred list check is not subject to a section 128 direction made by the Secretary of State.
- Schools must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State

### **Agency and third-party staff (supply staff)**

Schools and colleges must obtain written notification from any agency, or third-party organisation they use that the organisation has carried out the checks (in respect of the enhanced DBS certificate, written notification that confirms the certificate has been obtained by either the employment business or another such business), on an individual who will be working at the school or college that the school or college would otherwise perform.

### **Trainee/student teachers**

Where applicants for initial teacher training are salaried by the school or college, the school or college must ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained.

Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Schools and colleges should obtain written confirmation from the provider that it has carried out all pre-appointment checks.

### **Volunteers**

A volunteer in respect of whom no checks have been obtained will never be left unsupervised or allowed to work in regulated activity.

Volunteers who, on an unsupervised basis teach or look after children regularly or provide personal care on a one-off basis in schools and colleges, will be in regulated activity. The school should obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity.

Existing volunteers in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information). However, schools and colleges may conduct a repeat DBS check (which should include barred list information) on any such volunteer should they have concerns.

The school should undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity. In doing so they should consider:

- the nature of the work with children;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability;
- whether the role is eligible for an enhanced DBS check;
- Details of the risk assessment should be recorded.

For supply staff and those on short contracts in The Three Schools

While working in The Three Schools, you have a duty of care towards the children/pupils/pupils here. This means that at all times you should act in a way that is consistent with their safety and welfare.

In addition, if at any time you have a concern about a child or young person, particularly if you think they may be at risk of abuse or neglect, it is your responsibility to share that concern with the school designated safeguarding lead (DSL), who is Ms Carol-Anne McCollum or Mr David May (Executive Headteachers) and can be found in Reception.

This is not an exhaustive list, but you may have become concerned as a result of:

- observing a physical injury, which you think may have been non-accidental
- observing something in the appearance of a child or young person which suggests they are not being sufficiently well cared for
- observing behaviour that leads you to be concerned about a child or young person
- a child or young person telling you that they have been subjected to some form of abuse

In any of the circumstances listed here, you must write down what you saw or heard, date and sign your account, and give it to the DSL. This may be the beginning of a legal process – it is important to understand that legal action against a perpetrator can be seriously damaged by any suggestion that the child has been led in any way.

If a child talks to you about abuse, you should follow these guidelines:

- Rather than directly questioning the child, just listen and be supportive
- Never stop a child who is freely recalling significant events, but don't push the child to tell you more than they wish
- Make it clear that you may need to pass on information to staff in other agencies who may be able to help – do not promise confidentiality. You are obliged to share any information relating to abuse or neglect
- Write an account of the conversation immediately, as close to verbatim as possible. Put the date and timings on it and mention anyone else who was present. Then sign it, and give your record to the designated person/child protection officer, who should contact children's social care if appropriate

The school has a policy on safeguarding children and young people which you can find, together with the local procedures to be followed by all staff, in location.

**Remember, if you have a concern, discuss it with the DSL.**

### **Use school channels to communicate**

- As always, staff shouldn't communicate with parents or pupils outside school channels (e.g., they shouldn't talk to parents using their personal Facebook accounts, or contact pupils using their personal email addresses or phone numbers).
- If you have expectations with parents already about contacting staff and when they'll get replies, remind them about these. Similarly, remind staff about any expectations you've already set in your code of conduct for communicating with pupils and parents, and staff-pupil relationships.

### **What to do in different scenarios**

- A number of platforms are readily available. One popular platform used by a number of ODST schools is Microsoft Teams. However, G Suite and You Tube work equally well, are often free and are easy to use for staff, parents and pupils to access.
- You can use [any platform](#) that works for you, and the advice below will still apply.

### **Key Considerations**

- If teachers are uploading resources to an open Google Drive (or similar system), ensure there's nothing that can identify pupils in the resources, like their names or comments addressed specifically to them, as anyone with the link can view what's in the Drive.
- If you're using Google Classroom to set work and communicate
- Decide: whether you'll allow pupils to post and comment in the communication 'Stream'; what they can talk about in posts and comments, if allowed to.
- If you allow pupils to comment, tell them they should only be talking about school work in the 'Stream' and that they could be muted (prevented from posting or commenting) for posting anything inappropriate or bullying.
- Consider giving parents the chance to opt-out of their child posting in the 'Stream' too.

### **If broadcasting live, or recording a lesson, staff should consider the following:**

- Record against a neutral background.
- Avoid recording in their bedroom if they can (if that's not possible, use a neutral background).
- Dress like they would for school.
- Ensure that pupils are appropriately dressed through good ground rules.
- Double-check what other tabs they have open in their browser, if they're sharing their screen (e.g. no search results for adult content open in another tab).
- Use professional language.
- If staff have a personal account where they've created playlists, consider setting up a separate work account.

### **Consider (where appropriate and possible):**

- Set their videos to '**Unlisted**' so that only people who have the link (e.g. parents who you've emailed) will be able to see the video.
- Set the audience as '**Made for kids**', so that adverts won't appear at the start of the video,
- and comments will be disabled.

### **In the child's home:**

- Ask pupils to also be in a shared space in their house, rather than in their bedroom. No pyjamas for pupils either!
- If possible, try to ensure that a child is sitting in a position where background activities can't be seen (e.g. sit with his/her back to a wall).
- Ensure that parents who'll also be there are mindful of the fact that other children might see or hear them and what's in the background.
- Consider a basic *"IT Home-School Agreement"* regarding ground rules and protocols set.

### **If at all possible, consider:**

- Consider recording live sessions so there's something to go back to later on if you need to and keep a log of who's doing hangouts and when. Consider checking that parents are happy with you making recordings first - tell them it's for school records only.

### **If /when teachers are phoning pupils, consider the following:**

- Do this through parents' phones, particularly in primary school, and in all cases make sure parents are aware and agree.
- Do it in school hours as much as possible.
- Make sure someone else at school/in direct contact is aware and they keep a record of the date and time.
- Have a parent there at the child's end and have the phone on speaker phone.
- Either use an app like [3cx](#) that routes calls through your school's number rather than their own, or block their number so parents don't see it (give parents a "heads up" of what time you'll be calling if blocking numbers, so they're more likely to pick up).
- If possible, have another member of staff there. If that's not possible, record the phone call, with parents' permission. Explain you're recording for school records only. If they're using video calling, take the same steps as above.