



EDUCATION SERVICES

Revised January 2011

1. Schools & FE Institutions

1.1 The Education Act 2002 imposes an obligation on maintained schools and FE institutions (with respect to those aged less than 18) (section 175) and independent and non-maintained special schools (Section 157) to safeguard and promote the welfare of their pupils by:

- Creating and maintaining a safe learning environment for children and young people and
- Identifying where there are child welfare concerns and taking appropriate action with the aim of making sure that they are kept safe both at home and at school.

Schools also contribute through the curriculum by developing children's understanding, awareness, and resilience.

1.2 Creating a safe learning environment means having effective arrangements in place to address a range of issues, including:

- Preventing unsuitable people working with children and young people
- Promoting safe practice and challenging poor and unsafe practice
- Where there are concerns for a child's welfare, initiating appropriate action to keep them safe
- Contributing to effective partnership working between all those involved with providing services for children.

Some of the above are subject to statutory requirements, including child protection arrangements, safe recruitment procedures, pupil health and safety, and bullying. Others include arrangements for meeting the health needs of children with medical conditions, providing first aid, school security, tackling drugs and substance misuse, and having arrangements in place to safeguard and promote the welfare of children on extended vocational placements.

1.3 Governing Bodies / Proprietors of all schools and FE Colleges are accountable for ensuring that their establishment has effective policies and procedures in place to fulfill their obligations under Section 175/157 of the 2002 Education Act. Maintained schools should ensure that their arrangements are compliant with the Bucks County Council "Safeguarding in Education – Local Guidance and Child Protection Procedures."

1.4 All schools and FE Colleges should have a senior member of staff who is designated to take lead responsibility for dealing with child protection issues, providing advice and support to other staff, liaising with the authority, and working with other organizations as necessary.

1.5 Education staff have a crucial role in helping identify at an early stage welfare concerns and indicators of possible abuse or neglect. Staff in schools and FE institutions should not themselves investigate possible abuse or neglect but have a key role by referring those concerns to the appropriate organization (normally Social Care for Children and Families), providing information for police investigations, for enquiries under s.47 Children Act 1989,

and contributing to assessments. They may also contribute to ongoing action to meet children's needs.

1.6 When a child has special educational needs, or is disabled, the school will have important information about the child's level of understanding and the most effective means of communicating with the child. It will also be well placed to give a view on the impact of treatment or intervention on the child's care or behaviour.

1.7 Where a child of school age is the subject of an inter-agency child protection plan, the school should be involved in the preparation of the plan. The school's role and responsibilities in contributing to actions to safeguard the child, and promote her/his welfare should be clearly identified.

1.8 Special schools, including non-maintained special schools and Independent schools, which provide medical and/or nursing care should ensure that their medical and nursing staff have appropriate training and access to advice on child protection and safeguarding and promoting the welfare of children.

2. PHSE

2.1 Schools play an important role in making children and young people aware of behaviour towards them that is not acceptable and how they can help keep themselves safe. The non-statutory framework for Personal, Social and Health Education (PSHE) provides opportunities for children and young people to learn about keeping safe. Pupils should be taught to recognise and manage risks in different situations and then decide how to behave responsibly; to judge what kind of physical contact is acceptable and unacceptable; to recognise when pressure from others (including people they know) threatens their personal safety and well-being and develop effective ways of resisting pressure

2.2 PSHE curriculum materials provide resources that enable schools to tackle issues regarding healthy relationships including domestic violence, bullying and abuse. Discussions about personal safety and keeping safe can reinforce the message that any kind of violence is unacceptable, let children and young people know that it is acceptable to talk about their own problems, and signpost sources of help.

3. Physical force

3.1 Corporal punishment is outlawed for all pupils in all schools, including independent schools, and FE institutions. The law forbids a teacher or other member of staff from using any degree of physical contact that is deliberately intended to punish a pupil, or that is primarily intended to cause pain, injury or humiliation.

3.2 Teachers at a school are though, allowed to use reasonable force to control or restrain pupils under certain circumstances. Other people may also do so, in the same way as teachers, provided they have been authorised by the head teacher to have control or charge of pupils. All schools should have a policy about the use of force to control or restrain pupils.

4. Bullying

4.1 Headteachers are responsible for promoting good behaviour and discipline in line with the governing body's statement of general principles. The Headteacher is crucial in the creation of an ethos that promotes good relationships and which encourages all within the school to take responsibility for ensuring good behaviour prevails.

4.2 School's should have both a written anti-bullying policy and a behaviour and discipline policy.

4.3 Procedures should be reviewed regularly

4.4 Good leadership is key to successful promotion of good behaviour.

4.5 Sanctions should be proportionate, fair and consistently applied.

4.6 Prospectuses for parents should explain arrangements for reporting bullying and how it will be investigated.

4.7 Governing Bodies should regularly review their school's anti-bullying policy and bullying incidence and procedures.

4.8 Reviewing procedures in governors' role of "critical friend" to the school is paramount. Governing bodies should:

- Nominate a governor to support the schools' anti-bullying work. (This may link with an existing responsibility, e.g. PSHE, citizenship or behaviour.
- Ensure that procedures are in place to engage pupils in policy development, monitoring and reviews, and that pupils views are sought.
- Establish a mechanism for recording and reporting bullying incidents.
- Ensure that all are clear about procedures
- Evaluate work on the basis of "If I felt I (or my child) was being bullied, what can I do..."
- Reflect on school provision from the perspective of the victim and their parents/cares.

5. The Safeguarding in Education Team

5.1 The Team Manager of the Safeguarding in Education Team has responsibility for co-ordinating policy and all child protection matters in Children's Services (Education). The Team Manager is the Local Authority Designated Officer (LADO) for Education, and in that capacity must immediately be informed if an allegation of abuse is made against any member of staff or volunteer working in maintained schools or other educational service, including independent schools.

5.2 The Safeguarding in Education Team offers advice and support to schools and other education agencies (including those in the Independent Sector) in all Child Protection matters. The team also offers Child Protection training for all education staff, and contributes to the Inter-Agency Safeguarding Training Pool.

6. Role of Education Welfare Service

6.1 Poor school attendance is a common indicator of child abuse. It is therefore of the utmost importance that EWS procedures are followed for children with a poor attendance record. Education Welfare Officers will work closely with Social Workers where appropriate.

6.2 Procedures are in place to prevent children or young people disappearing from the roll of a school. The Education Welfare Service should be notified immediately if you become aware that a child has left your school and you do not have details of where they are going.

6.3 Similarly, should any professional become aware of a child of school age who is not on the roll of a school, the EWS must be notified. Failure to do so was identified by Lord Laming as a missed opportunity to intervene prior to the death of Victoria Climbié, resulting in criticisms of the professionals who had been in contact with her.

7. Boarding Schools

7.1 A child in boarding school is vulnerable to physical, sexual or emotional abuse and / or neglect. If there are lapses in the care provided for them, the child can suffer to such a degree that it constitutes significant harm. See section 4.3. Recognition of abuse and neglect.

Significant harm is defined in section 4. Recognition and response as a situation where a child is suffering, or is likely to suffer, a degree of physical, sexual and / or emotional harm (through abuse or neglect), which is so harmful that there needs to be compulsory intervention by child protection agencies into the life of the child and their family.

8. Good quality care

8.1 The welfare and safety of children living in boarding school should be promoted and provided for at a minimum, in line with the relevant *National Minimum Standards* (see www.ofsted.gov.uk).

8.2 All commissioners and providers of services for children living in boarding school are responsible for ensuring that children are safeguarded.

Commissioner contracts and provider procedures should be comprehensive and unambiguous in setting out the responsibilities and processes for safeguarding and promoting children's welfare. Local Safeguarding Children Boards should monitor the welfare of children living in boarding school (see section 18. LSCBs, quality assurance and conflict resolution).

8.3 The standards for children living in boarding school include that:

- Children feel valued and respected and their self-esteem is promoted;
- There is an openness on the part of the boarding school to the external world and external scrutiny, including contact with families and the wider community;
- Boarding school staff are trained in all aspects of safeguarding children, are alert to children's vulnerabilities and risks of harm, and knowledgeable about how to implement safeguarding children procedures;
- Children who live in boarding school are listened to and their views and concerns responded to;
- Children have ready access to a trusted adult outside the boarding school setting (e.g. a family member, the child's social worker, independent visitor, children's advocate). Children should be made aware of the help they could receive from independent advocacy services, external mentors, and ChildLine (see section 2. Roles and responsibilities, 2.24.12 NSPCC);
- Boarding school staff recognise the importance of ascertaining the wishes and feelings of children and understand how individual children communicate by verbal or non-verbal means;
- There are clear procedures for referring safeguarding concerns about a child to the relevant LA children's social care service;

- In relation to complaints:
 - Complaints procedures should be clear, effective, user friendly and readily accessible to children and young people, including those with disabilities and those for whom English is not their preferred language;
 - Procedures should address all expressions of concern, including formal complaints. Systems that do not promote open communication about 'minor' complaints will not be responsive to major ones, and a pattern of 'minor' complaints may indicate more deeply seated problems in management and culture which need to be addressed;
 - Records of complaints should be kept by providers of children's services (e.g. there should be a complaints register in every boarding school which records all representations including complaints, the action taken to address them, and the outcomes);
 - Children should be genuinely able to raise concerns and make suggestions for changes and improvements, which are taken seriously.

See section 18. LSCBs, quality assurance and conflict resolution.
- Bullying is effectively countered (see section 5.6 Bullying);
- Recruitment and selection procedures are rigorous and create a high threshold of entry to deter abusers (see section 17. Safer recruitment);
- There is effective supervision and support, which extends to temporary staff and volunteers (see section 16. Supervision and training);
- The boarding school's contractor staff are effectively checked and supervised when on site or in contact with children;
- Clear procedures and support systems are in place for dealing with expressions of concern by boarding school staff about other staff or carers (see section 15. Allegations against staff);
- Organisations should have a code of conduct instructing boarding school staff on their duty to their employer and their professional obligation to raise legitimate concerns about the conduct of colleagues or managers. There should be a guarantee that procedures can be invoked in ways which do not prejudice the 'whistle-blower's' own position and prospects;
- There is respect for diversity and sensitivity to race, culture, religion, gender, sexuality and disability;
- Boarding school staff are alert to the risks of harm to children in the external environment from people prepared to exploit the additional vulnerability of children living in boarding school.

5.5.5 See also section 8. Child protection conferences.