



# Safeguarding and Child Protection Policy and Procedure

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# Safeguarding Policy

## 1. Introduction

Ysgol Y Rhos is an Independent School operating within Unique Care Homes Ltd who are the proprietors.

Ysgol Y Rhos is an independent school providing specialist education to boys and girls aged 8 to 16 years with social, emotional, and behavioural difficulties (SEBD) needs, and who are Looked After Children. The school specifically caters for pupils who present with early childhood trauma (TrACEs), leading to a range of complex interpersonal, emotional, and behavioural issues.

Unique Care Homes Ltd aspires to deliver an outstanding integrated model of education, therapy, and therapeutic care to the pupils.

### Our core safeguarding principles are:

- It is the school's responsibility to safeguard and promote the welfare of pupils.
- Safeguarding is everyone's responsibility: for services to be effective each individual and organisation should play their full part
- A child centred approach: for services to be effective they should be based on a clear understanding of the needs and views of pupils .
- Pupils who are and who feel safe make more successful pupils.
- Pupils will feel safe and become successful pupils where the school has a strong ethos of caring, openness and mutual respect.
- Once developed, policies will be reviewed every two years, unless an incident or new legislation or guidance suggests the need for an earlier date of review.

## 2. Statutory Framework for Safeguarding in Education

The standards prescribed regarding safeguarding of learners in education are set out in the Independent School Standards (Wales) Regulations 2024 made under section 175 of the Education Act 2002. These relate to the following legislation:

- The Children Act 1989;
- Section 175 of the Education Act 2002 (local authorities, governing bodies of maintained schools and institutions in the further education sector).
- The Independent Schools Standards Wales Regulations 2024
- Section 28 of the Children Act 2004 (other agencies).
- Social Services and Well-Being (Wales) Act 2014
- Wales Safeguarding Procedures (11/2019)
- Keeping Learners Safe Guidance document: 283/2022
- [Keeping Learners Safe \(gov.wales\)](#)

### **3. Policy statement, principles and aims**

The whole school recognises a moral and statutory responsibility to safeguard and promote the welfare of all pupils. Staff endeavour to provide a safe and welcoming environment where pupils are respected and valued. All staff are alert to the signs of abuse and neglect and follow the school procedures to ensure that pupils receive effective support, protection, and justice.

The procedures contained in this policy apply to all education and care staff working within the school and are consistent with those of Unique Care Homes Ltd and the Local Safeguarding Children Board (LSCB).

#### **Principles**

- The school will ensure that the welfare of pupils is given paramount consideration when developing and delivering all school activity.
- All pupils, regardless of age, gender, ability, culture, race, language, religion, or sexual identity, have equal rights to protection under this policy.
- All staff have an equal responsibility to act in accordance with this guidance on any suspicion or disclosure that may suggest a learner is at risk of harm.
- All pupils and staff involved in Child Protection issues will receive appropriate support from the senior management of the school who will follow this policy guidance in providing that support.

#### **Aims**

- To provide all staff with the necessary information to enable them to meet their statutory responsibilities to promote and safeguard the wellbeing of pupils in the school.
- To ensure consistent good practice across the school.

To demonstrate the school's commitment with regard to safeguarding pupils.

### **4. Terminology**

**Safeguarding** and promoting the welfare of pupils refers to the process of protecting them from abuse or neglect, preventing the impairment of their health or development, ensuring that they grow up in circumstances consistent with the provision of safe, effective and nurturing care and undertaking that role so as to enable pupils to have optimum life chances and to enter adulthood successfully.

**Child Protection** refers to the processes undertaken to meet statutory obligations laid out in the various Legislation, National Policies and associated guidance in respect of those pupils who have been identified as suffering or being at risk of suffering harm.

**Staff** refers to all those working for or on behalf of the school, full time, or part time, in either a paid or voluntary capacity.

**Child refers to all Pupils who have not yet reached their 18th birthday.**

**Parent** refers to birth parents and other adults who are in a parenting role, for example corporate parents, stepparents, foster carers and adoptive parents.

## 5. Context

Section 175 of the Education Act 2002 requires local education authorities to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of pupils.

The Independent Schools Standards Wales Regulations 2024 require proprietors of independent schools to have arrangements to safeguard and promote the welfare of children who are pupils at their schools.

Research suggests that more than 10 per cent of children will suffer some form of abuse.

Due to their day-to-day contact with pupils' school staff are uniquely placed to observe changes in behaviour and to recognise the outward signs of abuse. Pupils in this school may also turn to a trusted adult when they are in distress or at risk. It is vital that all school staff are alert to the signs of neglect and abuse and understand the local procedures for reporting and acting upon their concerns.

## 6. Roles and responsibilities

All schools must nominate a senior member of staff to coordinate Child Protection arrangements, and this person is named in this policy guidance. The **designated safeguarding lead (DSL)** for safeguarding and Child Protection at Ysgol y Rhos is Austin Bowers.

The **deputy designated safeguarding lead (DDSL)** Lyn Gibbs

### The school must ensure that the DSL:

- is appropriately trained.
- acts as a source of support and expertise to the school community.
- understands LSCB procedures.
- keeps written records of all concerns when noted and reported by staff or when disclosed by a learner, ensuring that such records are stored securely and reported onward in accordance with this policy guidance, but kept separately from the learner's general file.
- refers cases of suspected neglect and/or abuse to children's social care or police in accordance with this guidance and local procedures.
- notifies children's social care if a learner with a Child Protection plan is absent for more than two days without explanation.
- ensures that when a learner with a Child Protection plan leaves the school, their information is passed to their new school and the learner's social worker is informed.
- attends and/or contributes to Child Protection conferences in accordance with local procedure and guidance.
- coordinates the school's contribution to Child Protection plans.
- develops effective links with relevant statutory and voluntary agencies.
- ensures that all staff sign to indicate that they have read and understood this policy.
- ensures that the Child Protection policy is updated regularly.

- liaises with the nominated officer and head teacher (if not the DSP) as appropriate.
- keeps a record of staff attendance at Child Protection training, ensuring all staff new to the school receive training and information as part of their induction.
- makes this policy available to parents/carers.

The school must ensure that **deputy designated safeguarding lead** is appropriately trained and, in the absence of the designated safeguarding lead, carries out those functions necessary to ensure the ongoing safety and protection of pupils in the school.

In the event of the long-term absence of the designated person, the deputy will assume all the functions above.

### **Unique Care Homes Ltd ensures that the school has:**

- a DSL for safeguarding and Child Protection is a member of the senior leadership and who has undertaken the approved LSCB training in inter-agency working, in addition to basic Child Protection training.
- a Child Protection policy and procedures that are consistent with LSCB requirements, reviewed regularly and made available to parents/carers on request.
- procedures for dealing with allegations of abuse made against members of staff including allegations made against the head teacher.
- safer recruitment procedures that include the requirement for appropriate checks in line with national guidance. Every member of staff, working in Ysgol y Rhos, must provide a current DBS (Disclosure and Barring Service) and ensure that it is kept up to date throughout their term of employment.
- A training strategy that ensures all staff, including the headteacher, receive the appropriate level of Child Protection training for their role and responsibilities in line with the National Safeguarding Training Learning and Development Standards and will receive refresher at the required frequency.
- Arrangements to ensure that all temporary staff and volunteers are made aware of the school's arrangements for Child Protection.
- Unique Care Homes nominates an officer (normally the Service Director) to be responsible for liaising with relevant local authorities and other agencies in the event of an allegation being made by a learner against the head teacher.

### **The Headteacher:**

- ensures that the safeguarding and Child Protection policy and procedures are implemented and followed by all staff.
- allocates sufficient time and resources to enable the DSP and deputy to carry out their roles effectively, including the assessment of Pupils and attendance at strategy discussions and other necessary meetings.

- ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the school's whistle blowing procedures.
- ensures that learner's safety and welfare is addressed through the curriculum.

## **7. Good practice guidelines**

To meet and maintain our responsibilities towards pupils, the school community agrees to the following standards of good practice:

- treating all pupils with respect;
- setting a good example by conducting ourselves appropriately,
- involving pupils in decision-making which affects them;
- encouraging positive and safe behaviour among pupils;
- being a good listener;
- being alerted to changes in a learner's behaviour;
- recognising that challenging behaviour may be an indicator of abuse;
- reading and understanding all the school's safeguarding and guidance documents on wider safeguarding issues, for example bullying, physical contact, e-safety plans, and information-sharing;
- asking the learner's permission before doing anything for or to them which is of a physical/personal nature, such as assisting with dressing, physical support during PE or administering first aid or medication;
- maintaining appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language and challenging the use of such language if it occurs;
- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of neglect and or abuse.

## **8. Abuse of trust**

All school staff are aware that inappropriate behaviour towards pupils is unacceptable and that their conduct towards all pupils must be beyond reproach.

In addition, staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the school staff and a learner under 18 may be a criminal offence, even if that learner is over the age of consent.

The school's Code of Ethical Practice sets out the school's expectations of staff (see appendix 1).

## **9. Pupils who are particularly vulnerable**

Some pupils in the community are at increased risk of neglect and or abuse. Many factors can contribute to this increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some adults to accept that abuse happens, or who have an elevated level of tolerance in respect of neglect.

All pupils attending this school are considered vulnerable due to a history of trauma associated with adverse childhood experiences (TrACEs).

To ensure that all our pupils receive equal protection, we will give special consideration and attention to pupils who:

- are disabled or have special educational needs
- are or have been living in a known domestic abuse situation
- are affected by known parental substance misuse
- are asylum seekers or refugees
- are vulnerable to being bullied, or engaging in bullying
- belong to a family in temporary accommodation
- belong to a family who are known to have a transient lifestyle
- belong to a family with a chaotic, neglectful, and unsupportive home situation
- are vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, or sexuality
- have been involved directly or indirectly in criminal or sexual exploitation
- do not have Welsh/English as a first language.

Giving special consideration includes the provision of safeguarding information, resources and support services in community languages and accessible formats if/when appropriate.

#### **10. Support for those involved in a Child Protection issue**

Neglect and abuse is devastating for the learner and can also result in distress and anxiety for staff who become involved. The school will support the pupils, their families, and staff by:

- taking all suspicions and disclosures seriously;
- nominating a link person, with no conflict of interest, who will keep all parties informed and be the central point of contact;
- responding sympathetically to any request from a learner or member of staff for time out to deal with distress or anxiety caused by this situation;
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- storing records securely;
- Work in partnership with the Care Manager and Allocated Therapist
- following the procedures laid down in whistle blowing, complaints and disciplinary procedures;
- cooperating fully with relevant statutory agencies.

#### **11. Reporting Concerns**

If a pupil makes a disclosure, then the member of the school personnel must:

- listen to the pupil;
- remain calm;
- offer reassurance;
- not ask the pupil to remove or adjust clothing if bruises are observed;
- not ask leading questions;



- let the pupil speak freely;
- accept what has been told them without challenge;
- not offer opinion, criticize, or lay blame;
- reassure the pupil at the end of the disclosure telling them that they have done the right thing;
- not promise confidentiality but inform them that other people need to be told;
- record accurately and factually what the child has said in note form;
- report immediately to the Designated Senior Person (DSP) or DDSP
- If a member of the school personnel suspects that a child may be a victim of abuse but feels that they have insufficient evidence, they should report to the DSL or DDSL, who will discuss the issue and next steps with them.

**The Designated Safeguarding Lead (DSL) will:**

- further investigate and keep records of this investigation;
- decide whether to take this referral further or to monitor the situation;
- inform the person making the initial referral of his/her decision;
- prepare documents in readiness for strategy Section 5 meeting including information on the learner

**12. Procedure to deal with allegations (against pupils or staff)**

All allegations are to be reported immediately.

**Step 1**

Designated Safeguarding Lead informed & allegations reported.



**Step 2**

The **Child Protection Lead for Unique Care Homes** immediately informed by DSL



**Step 3**

The Local Authority Designated Officer from Flintshire Children's Services First Response Team is contacted to discuss the allegation and the Placing Authority Social Worker is informed



**Step 4**

Referral to Children Social Care via the North Wales Children's Services Multi-Agency Referral Form

If the case leads to a strategy meeting the **DSL & Child Protection Lead for Unique Care Homes** Helen Argyle should attend. The decision of the strategy meeting could be:

- An investigation by children's social care
- A police investigation if there is a criminal element to the allegation
- single agency investigation completed by the school with the Child Protection Lead for Unique Care Homes, Helen Argyle.

#### **Allegations against the Designated Safeguard Lead**

- The same Procedure is followed as above, except that Step 1 is to inform the DDSL who will inform the **Child Protection Lead for Unique Care Homes**, Helen Argyle.



Our complaints procedure will be followed where a learner or parent raises a concern about poor practice towards a learner that initially does not reach the threshold for Child Protection action. Poor practice examples include unfairly singling out a learner, using sarcasm or humiliation as a form of control, bullying, or belittling a learner or discriminating against them in some way. Complaints are managed by senior staff, the head teacher, and Unique Care Homes Service Director.

Complaints from staff are dealt with under the school's complaints and disciplinary and grievance procedures.

#### **14. If you have concerns about a colleague**

Staff who are concerned about the conduct of a colleague towards a learner are undoubtedly placed in an exceedingly difficult situation. They may worry that they have misunderstood the situation, and they will wonder whether a report could jeopardise their colleague's career. **All staff must remember that the welfare of the learner is paramount.** The school's whistle blowing code (appendix 2) enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place. All concerns about poor practice or concerns about a learner's welfare brought about by the behaviour of colleagues should be reported to the Head Teacher. Complaints about the Head Teacher should be reported to Unique Care Homes Service Director.

#### **15. Staff who are the subject of an allegation**

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a learner to deliberately make a false or malicious allegation, although some pupils may have a history of making false allegations. Additionally, misunderstandings and misinterpretations of events can and do happen. A learner may also make an allegation against an innocent party because they are too afraid to

name the real perpetrator. Even so, some adults will pose a serious risk to pupils' welfare and safety, and staff must act on every allegation made. Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that pupils are protected.

Allegations against staff should be reported to the Head Teacher. Allegations against the Head Teacher should be reported to Unique Care Homes Service Director.

The full procedures for dealing with allegations against staff can be found in Wales Safeguarding Procedures "Safeguarding allegations/ concerns about practitioners in and those in a position of trust"

## **16. Staff training**

It is important that all staff have training to enable them to recognise the possible signs of abuse and neglect and to know what to do if they have a concern. Our training strategy ensures all staff, including the headteacher, receive the appropriate level of Child Protection training for their role and responsibilities in line with the National Safeguarding Training Learning and Development Standards and will receive refresher at the required frequency. The Designated Safeguarding Lead and Deputy Safeguarding Lead attend Children in Wales Designated Safeguarding Lead Training.

## **17. Safer recruitment**

All appointments are made in line with Unique Care Homes Ltd Safer Recruitment Policy.

Safer recruitment means that all applicants will:

- complete an application form.
- be interviewed a minimum of one panel member will be Safer Recruitment trained.
- provide two referees, including at least one who can comment on the applicant's suitability to work with pupils.
- Provide full educational & employment history.
- provide evidence of identity and qualifications.
- be checked through the Independent Safeguarding Authority and subject to an Enhanced DBS certificate.

All new members of staff will undergo an induction that includes familiarisation with the school's safeguarding and Child Protection policy and identification of their own safeguarding and Child Protection training needs. All staff, employed by the school, sign to confirm they have received a copy of the Child Protection policy.

## **18. Extended school and off-site arrangements**

Where extended school activities are provided by and managed by the school, this safeguarding and Child Protection policy and associated procedures apply. If other organisations provide services or activities to our pupils, we will check that they have appropriate procedures in place, including safer recruitment procedures. Whenever

our pupils attend off-site activities, we will carry out a risk assessment and ensure that Unique Care Homes staff always accompany them.

### **19. Risk Assessments**

Risk assessments will be carried out for any new activities undertaken as part of the school curriculum and for any off-site activities before every occasion (see separate policies and procedures)

Additionally, risk assessments will be undertaken when any learner joins the school. These risk assessments will be updated at least annually but also following any major incident.

### **20. Photography and images**

Most people who take or view photographs or videos of learner do so for entirely innocent, understandable, and acceptable reasons. However, to protect pupils the school and all its staff will:

- seek their consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- seek corporate parent consent
- use only the learner's first name with an image
- ensure that pupils are appropriately dressed when photographed
- encourage pupils to tell us if they are worried about any photographs that are taken of them.

### **21. e-Safety**

Most of our pupils will use mobile phones and computers at some time. They are a source of fun, entertainment, communication, and education. However, we know that some adults, and pupils will use these technologies to harm others. The harm might range from sending hurtful or abusive texts and emails, to enticing pupils to engage in sexually harmful conversations, webcam photography or face-to-face meetings. The school's e-safety policy explains how we try to keep pupils safe in school. Cyber-bullying by pupils, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures.

Chat rooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and whilst some pupils will undoubtedly be 'chatting' on mobiles or social networking sites at home **they are not allowed to access these sites whilst in school.** To that end **NO** pupils are allowed to bring mobile phones on to the school site and only school computers, laptops and tablets are used. In the specific case where young has a laptop provided by their home local authority for home-school use, it will be regularly checked to ensure that it can be safely used in school.

Although the school has safeguards / parental controls in place to ensure that inappropriate materials cannot be accessed, it is known for those protections to be bypassed by pupils. Therefore, no learner will have access to ICT without a member of staff being present and any learner with a history of inappropriate use of ICT will have one to one support when using ICT. (This will be shown in their individual risk assessment)

## **PART 2      Guidance and Procedures**

### **Recognising abuse**

To ensure that our pupils are protected from harm, we need to understand what types of behaviour constitute abuse and neglect.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a learner by inflicting harm (for example by hitting them) or by failing to act to prevent harm (for example by leaving them at home alone or leaving knives or matches within reach).

There are four categories of abuse: physical abuse, emotional abuse, sexual abuse, and neglect.

### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm .. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness (this used to be called Munchausen's Syndrome by Proxy but is now more usually referred to as fabricated or induced illness).

### **Emotional abuse**

Emotional abuse is the persistent emotional maltreatment such as to cause severe and persistent adverse effects on the learner's emotional development. It may involve conveying to pupils that they are worthless or unloved, inadequate, or valued only for meeting the needs of another person. It may feature age – or developmentally - inappropriate expectations being imposed on pupils These may include interactions that are beyond their developmental capability, as well as overprotection and limitation of exploration and learning, or preventing them from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing Pupils frequently to feel frightened or in danger, or the exploitation or corruption of pupils Some level of emotional abuse is involved in all types of maltreatment, although it may occur alone.

### **Sexual abuse**

Sexual abuse involves forcing or enticing a child to take part in sexual activities, including sexual exploitation, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative and non-penetrative acts. They may include non-contact activities, such as involving e in looking at, or participating in the production of, pornographic material or watching sexual activities, or encouraging them to behave in sexually inappropriate ways.

## **Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs and is likely to result in the serious impairment of their development. Neglect may occur during pregnancy because of maternal substance misuse, including "binge" drinking that results in foetal alcohol syndrome or smoking that results in fail to grow adequately. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing or shelter, including exclusion from home or abandonment; failing to protect them from physical and emotional harm or danger; failure to ensure adequate supervision, including the use of inadequate care-takers; or the failure to ensure access to appropriate medical care or treatment or to appropriate educational opportunities. It may also include neglect of, or unresponsiveness to their basic emotional needs.

## **Bullying**

While bullying between pupils is not a separate category of abuse and neglect, it is a significant issue that can cause considerable anxiety and distress. At its most serious level, bullying is thought to result in up to 12 child suicides each year.

All incidences of bullying should be reported and will be managed through our anti-bullying procedures. The subject of bullying will be addressed at regular intervals in the personal, social, health and citizenship education (PSHCE) curriculum. If the bullying is particularly serious, or the anti-bullying procedures are deemed to be ineffective, the head teacher and the DSP will consider implementing Child Protection procedures.

## **Indicators of abuse and what you might see**

The identification of signs of abuse is often complicated, as pupils may go to great lengths to hide injuries, be ashamed or embarrassed, or be afraid of their abuser if threatened with violence or further abuse if they 'tell.'

It is quite difficult for anyone without medical training to categorise physical injuries into accidental or deliberate with any degree of certainty.

It is vital that staff are also aware of the range of behavioural indicators of abuse and report any concerns to the designated person.

Remember, it is your responsibility to report your concerns. **It is not your responsibility to investigate or decide whether a learner has been abused.**

As examples a learner who is being or has been abused and/or neglected may:

- have bruises, bleeding, burns, fractures, or other injuries
- show signs of pain or discomfort
- keep arms and legs covered, even in warm weather
- be concerned about changing for PE or other activities
- look unkempt and uncared for
- change their eating habits
- have difficulty in making or sustaining friendships
- appear fearful
- be reckless with regard to their own or other's safety

- self-harm
- frequently miss school or arrive late without real reason
- show signs of not wanting to go home
- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn.
- challenge authority
- become disinterested in their school work
- make frequent excuses to leave lessons
- misbehave more frequently to be removed from a lesson
- be constantly tired or preoccupied
- be wary of physical contact
- be involved in, or particularly knowledgeable about drugs or alcohol
- display sexual knowledge or behaviour beyond that normally expected for their age.

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw, and each small piece of information will help the DSL to decide how to proceed. It is especially important that you report your concerns – you do not need ‘absolute proof’ that the learner is at risk.

### **The impact of abuse**

The impact of child abuse should not be underestimated. Many children do recover well and go on to lead healthy, happy, and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some of our pupils’ full recovery is beyond their reach, and the rest of their childhood and their adulthood may be characterised by anxiety or depression, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships and long-term medical or psychiatric difficulties.

### **Children causing abuse**

Pupils may be harmed by other pupils. Staff will be aware of the harm caused by bullying and will use the school’s anti-bullying procedures where necessary. However, there will be occasions when a Pupils behaviour warrants a response under Child Protection rather than anti-bullying procedures.

Research suggests that up to 30 per cent of child sexual abuse is committed by someone under the age of 18. It is imperative therefore that all staff are always vigilant for signs of abuse. Pupils who display such behaviour may be victims of abuse themselves and the Child Protection procedures will be followed for both victim and perpetrator.

### **Confidentiality and sharing information**

All staff must understand that Child Protection issues warrant an elevated level of confidentiality, not only out of respect for the learner and staff involved but also to ensure that being released into the public domain does not compromise evidence. Staff should only discuss concerns with the DSL, DDSL, their line manager or the Service Director. That person will then decide who else needs to have the information and they will disseminate it on a ‘need-to-know’ basis.

Child Protection information will be stored and handled in line with the school's **Data Protection Policy**

Record of concern forms and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Every effort will be made to prevent unauthorised access, and sensitive information will not be stored on laptop computers or portable storage devices.

Child Protection information will be stored separately from the learner's school file and the school file will be 'tagged' to indicate that separate information is held.

Child Protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that pupils and parents do not have an automatic right to see them. If any member of staff receives a request from a learner or parent to see Child Protection records, they should refer the request to the Head Teacher.

The Data Protection Act does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a learner.

### **Reporting directly to Child Protection agencies**

Staff should follow the reporting procedures outlined in this policy.

However, they may also share information directly with children's social care, police, or the NSPCC if:

- the situation is an emergency and the DSL, DDSL, and the Service Director are all unavailable and
- they are convinced that a direct report is the only way to ensure the learner's safety.



### **Key personnel in Child Protection in the school day:**

The **Designated Safeguarding Lead** for Child Protection in this school is: Austin Bowers.

The **Deputy Designated Safeguarding Lead** in this school is: Linda Gibbs

The **Service Director for Unique Care Homes** is Helen Argyle

Contact details: [helen@we-are-unique.care](mailto:helen@we-are-unique.care)

**Tel:** 07494 540586

**First Response Team Flintshire** Tel: 01352 701000

**Operations Manager, Children and Families Service Flintshire:** Claire Thomas

Email: [claire.thomas@flintshire.gov.uk](mailto:claire.thomas@flintshire.gov.uk)

**The Duty Social Worker** Duty and Assessment Team, Social Services for Children, County Offices, Chapel Street, Flint, CH6 5BD

Tel 01352 701000 or 03450533116

Email: [ChildProtectionReferral@flintshire.gov.uk](mailto:ChildProtectionReferral@flintshire.gov.uk)

### **Monitoring and Review**

This policy will be revisited on a regular basis when any issue is found to have substance in fact.

It will be formally reviewed every two years and changes will be discussed with SMT (Senior Management Team).

## **Appendix 1**

### **Code of ethical practice for school staff**

All school staff are valued members of the school community. Everyone is expected to set and maintain the highest standards for their own performance, to work as part of a team and to be an excellent role model for pupils.

#### **All school staff should:**

- place the safety and welfare of pupils above all other considerations
- treat all members of the school community, including pupils, parents, colleagues and Unique Care Homesh officers and advisers with consideration and respect
- adhere to the principles and procedures contained in the policies in our safeguarding portfolio and in teaching and learning policies
- treat each learner as an individual and adjust meet individual need
- demonstrate a clear understanding of, and commitment to, non-discriminatory practice
- recognise the power imbalances between pupils and staff, and various levels of seniority of staff and ensure that power and authority are never misused
- dress appropriately, avoiding any sexually suggestive wear
- show respect for pupils by arriving on time for all lessons/activities
- show respect by preparing well-planned lessons and having all necessary resources available at the start of the lesson
- use appropriate language and avoid any sexually suggestive or explicit phrases
- understand that school staff are in a position of trust and that sexual relationships with a learner even over the age of 16, may be an offence
- be alert to, and report appropriately, any behaviour that may indicate that a learner is at risk of harm
- encourage all pupils to reach their full potential
- never condone inappropriate behaviour by pupils or other staff
- take responsibility for their own continuing professional development
- refrain from any action that would bring the school into disrepute
- value themselves and seek appropriate support for any issue that may have an adverse effect on their professional practice.
- Never use a personal mobile phone or personal account on social networking sites to contact or take or obtain photographs of any learner who attends or has attended the school. Equal never share your pictures and personal information with these pupils.

## Appendix 2

### Whistle blowing code for issues relating to pupils

#### Purpose of this code

The school adheres to the Unique Care Homes whistle-blowing policy and procedures that enable staff to raise concerns relating to:

- poor / unprofessional practice
- inappropriate conduct
- crime
- a miscarriage of justice
- illegality
- health and safety
- environmental or property damage
- unauthorised use of public funds
- concealing or attempting to cover up any of the above.

This code provides additional information to help staff to understand the role of whistle blowing in the context of poor practice and unacceptable conduct and attitudes towards pupils.

#### **When to use the code**

The whistle blowing procedures, and this code may be used by anyone employed by the school in a paid or voluntary capacity who believes they have reason to suspect that the conduct of an employee towards a learner is inappropriate.

Inappropriate conduct includes, but is not confined to:

- bullying or humiliation
- contravening health and safety guidelines
- serious breaches of the school's code of ethical practice
- professional practice that falls short of normally accepted standards
- behaviour compromising students' welfare but in a way that does not meet the threshold for Child Protection intervention.

#### **Reasons for blowing the whistle**

Staff will naturally be reticent to report a concern about the conduct of a colleague. However, everyone must take responsibility for ensuring that pupils are fairly treated. If poor practice is allowed to continue unchecked, it could escalate with profound consequences.

Your action may not only protect pupils, but also deter any suggestion that you have colluded with poor practice that you knew was occurring but chose to ignore.

Whistle blowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the school, or they may be under stress and be relieved when their conduct is questioned.

Staff who deliberately fail pupils and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct must be confronted for the sake of the learner concerned and the reputation of the whole school.

### **Barriers to whistle blowing**

You may worry that you have insufficient evidence to raise a concern and that you will set in train an unstoppable chain of events, that there will be adverse repercussions for your career, that you may suffer reprisals, harassment, or victimisation, or that your suspicion or concern might be totally misplaced.

These concerns are entirely understandable, but you can be reassured that whistle blowing procedures addresses these issues.

The Public Interest Disclosure Act 1998 protects employees from reprisals for public interest whistle blowing. Your union, a solicitor or Unique Care Homes head office can provide you with information about your legal position.

### **Confidentiality and anonymity**

All concerns are treated in confidence and, as far as possible, your identity will not be revealed if that is your wish. However, absolute confidentiality cannot be guaranteed if, as a result of an investigation, you are required to provide a witness statement or attend a court hearing.

You can, if you prefer, raise your concern anonymously. The school would need to decide whether the levity and credibility of the concern warrants investigation if the source of the concern, and the key evidence, is not readily available.

The school will fully support you and do all it can to protect you from any harassment or adverse repercussions that may arise from whistleblowing. Allegations that prove to be deliberately fabricated and malicious will be dealt with through staff disciplinary procedures. However, no action will be taken against any member of staff who raises a genuine concern that proves to be unfounded.

### **Reporting procedure**

It may help if you write down, for your own benefit, what you have observed or heard that is causing alarm. One useful way to decide whether your concern should be reported is to consider whether you would want the conduct of this member of staff to continue unchecked if your own child or another young family member was involved.

- You may raise your concern verbally or in writing. You should report your concern directly to the Headteacher.
- If the Headteacher is the subject of your concern, speak to the Service Director.
- A friend, colleague or union representative may accompany you to an initial meeting if you wish.
- Ensure the Headteacher or Service Director informs you of their proposed action and sets a date for a second meeting.
- Timescales will depend on the complexity of the initial inquiry, but the case should not be allowed to stall, and you should receive initial feedback within

- 10 working days. The timescale for subsequent feedback should then be agreed.
- Ask for clarification about confidentiality and ensure you have your wishes regarding the protection of your identity recorded.

## **Process and outcome**

The headteacher or Service Director will make enquiries to establish the facts of the matter and whether poor practice or inappropriate conduct has occurred. Members of the school community, including Directors, may be asked to provide information or advice.

- A written record of the conduct established facts and outcome of the inquiry will be kept.
- The whistleblower will be kept informed of the progress of the inquiry.
- The outcome of the inquiry will be one of the following:
  - No poor practice or wrongdoing is established, and the case is closed.
  - The concern has some substance, and the subject of the concern will receive advice and support from the headteacher to improve practice.
  - Poor practice or wrongdoing is established, and disciplinary proceedings are initiated.
  - The concern is more serious, and an investigation is initiated. This investigation may involve the local authority's legal team, children's social care or the police.

If, at any stage in the process, there is reason to believe that a learner is at risk of significant harm, children's social care will be immediately involved.

## **Further action**

If you raise a concern and you are dissatisfied with the way it is managed, or the outcome, you may contact Unique Care Homes Directors for advice. Alternatively, you can seek advice from your union or professional association, a solicitor, the police, children's social care or Public Concern at Work (PCaW), a registered charity that offers free and confidential legal advice on workplace malpractice.

### **Public Concern at Work**

3rd Floor, Bank Chambers, 6-10 Borough High Street, London SE1 9QQ  
020 7404 6609  
whistle@pcaw.co.uk  
www.pcaw.co.uk