

# Included, Engaged & Involved: Child Protection and Safeguarding

POLICY: June 2023



## Preface

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## Disclaimer

The Council cannot be held responsible for the safety, data policies, procedures or contents of any external websites.

## Definition of Parent

Throughout this policy the term parent(s) will be used to apply to anyone with parental responsibility, those providing a foster or residential placement, or the local authority where full parental responsibility rests with them as corporate parents. In the case of care experienced children and young people and those in kinship care, this is also taken to mean 'carer'.

# Contents

1. Introduction .....	4
1.1 Key Legislation .....	4
1.2 Principles for Child Protection and Safeguarding .....	5
2. Child Protection .....	6
2.1 Child Protection Procedures .....	6
2.2 Information Sharing .....	7
3. Recording Information .....	8
3.1 Child Protection Files .....	8
3.2 Pastoral Notes/Chronologies .....	9
4. Staff Roles & Responsibilities.....	10
4.1 General Contact Workforce .....	11
4.2 Specific Contact Workforce.....	11
4.3 Intensive Contact Workforce .....	13
4.4 Named Education Contact .....	14
4.5 Head Teachers.....	14
4.6 Designated Member of Staff for Child Protection .....	15
4.7 Volunteers and Partners .....	17
4.8 Supply Staff .....	17
5. Code of Conduct for Staff.....	17
5.1 Child Protection Allegations against Staff.....	18
5.2 Whistleblowing .....	19
6. Safeguarding .....	19
7. Factors to Consider in Safeguarding .....	20
7.1 Child Sexual Exploitation (CSE) .....	20
7.2 Child Criminal Exploitation (CCE) .....	21
7.3 Children with Additional Support Needs .....	22
7.4 Domestic Abuse .....	23
7.5 Online Safety and Technology .....	24
8. Safeguarding in and beyond the Health and Wellbeing Curriculum .....	25
8.1 Under Age Sexual Activity.....	26

8.2 Harmful Sexual Behaviour (HSB).....	27
8.3 Vulnerable Young Person Protocol (VYPP).....	28
9. Safeguarding Procedures.....	29
9.1 Absconding from an educational establishment.....	29
9.2 Attendance.....	30
9.3 Child Concern Reports (Vulnerable People Database) .....	30
9.4 Children Missing from Education.....	31
9.5 School Exclusion.....	31
9.6 Fire Safety and First Aid .....	32
9.7 Intimate Personal Care.....	32
9.8 Mental Health, Self-Harm and Suicide.....	33
9.9 Missing During School Day.....	33
9.10 Off Site Visits .....	34
9.11 Photographs and Videos of Children and Young People .....	34
9.12 Recording Bullying .....	35
9.13 Storage and Procedures for Medicine in Schools .....	35
10. Safeguarding of Staff.....	35
10.1 Lone working / 1-1 working .....	36
11. PREVENT.....	36
12. Self- Evaluation .....	37
Appendix 1: Local and National Policy and Guidance.....	38
Appendix: 2 Useful East Lothian Contact Numbers .....	39
Appendix 3 Establishment Safeguarding Checklist.....	40
Appendix 4: Child Protection and Safeguarding Quick Checks.....	42

# 1. Introduction

East Lothian Council is committed to ensuring that all children and young people have the right to be cared for and protected from harm and abuse; they have the right to grow up in a safe environment in which their rights are respected and their needs met. This commitment is consistent with every child and young person's right to feel safe and to be listened to, as stated in the UN Convention on the Rights of the Child (UNCRC, 1989).

All staff have a crucial role to play in shaping the lives of children and young people. They have unique opportunities to interact with them in ways that are both affirming and inspiring and to ensure that they are safeguarded and protected. Procedures and guidance cannot in themselves protect children. Child protection is a complex system requiring the interaction of services, the public, children and families. For the system to work effectively, it is essential that everyone understands the contribution they can make and how those contributions work together to provide the best outcomes for children and young people.

This policy is intended to assist all staff and associated colleagues to adhere to their legislative duties, apply their skills collectively and effectively to develop a shared understanding of their common objective – to support and protect children and young people, particularly those who are most vulnerable. It also serves as guidance for staff on key issues in child protection and safeguarding. The approach set out depends on leadership, culture and ethos that recognises that whilst there are specific responsibilities associated with specific professional roles, everyone has a role in making sure children are safe from harm.

This policy should be read in conjunction with:

- National Guidance for Child Protection in Scotland (2021)
- Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) [Inter-agency Child Protection Procedures - Edinburgh the Lothians Oct 2015.pdf \(emppc.org.uk\)](#)
- The National Framework for Child Protection Learning and Development (2012)
- National GIRFEC policy statement (2022) [Getting it right for every child \(GIRFEC\): policy statement - gov.scot \(www.gov.scot\)](#)

## 1.1 Key Legislation

The legislative and policy landscape includes, but is not limited to, the following:

- *The National Child Protection Guidelines* (2021) provides a national framework for agencies and practitioners at a local level to agree processes for working together to safeguard and

promote child wellbeing. Within this guidance the definition of child protection has been expanded to make it clear that it is part of a continuum of services to safeguard, support and maintain the wellbeing of children. This includes services focused on prevention and early intervention.

- The *Children and Young People Act (2014)* has wide reaching powers to promote the Scottish Government's aims to encourage effective and targeted services for children and families as well as the promotion of children's rights. Through the National Practice Model, the Act promotes cross-boundary models of service delivery to make best use of expertise and resources in an integrated way to support and intervene to promote the wellbeing of children and young people. The wellbeing indicators (safe, healthy, achieving, nurtured, active, respected, responsible and included) ensures that a holistic approach is taken to ensure the wellbeing of all children and young people.
- *United Nations Convention on the Rights of the Child (1989)* recognises the paramount importance attached to safeguarding and protecting children. **Article 19** (protection from violence, abuse, neglect) states that Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

## 1.2 Principles for Child Protection and Safeguarding

The following principles should be in place regarding Child Protection and Safeguarding:

- Consideration of a child or young person's wellbeing should be based on a holistic assessment of the eight wellbeing indicators within the context of their family and their unique world and circumstances.
- Child Protection is everyone's responsibility. All children have rights to protection from abuse, alongside rights to participation, non-discrimination, survival, recovery, parental support, and support for healthy development.
- All professionals should make sure their approach is child centred. This means they should consider at all times what is in the best interests of the child or young person. This involves not only listening to their words but also their experience, needs, wishes and feelings. It involves listening to non-verbal communication and physical and behavioural responses to their care and environment.
- Inter-agency communication, information sharing and partnership working is essential to ensure best outcomes for children. Education staff will work collaboratively with other services to promote the wellbeing and protection of children and young people and protect them from harm. This includes providing a coordinated approach of early intervention when additional needs of children are identified and contributing to inter-agency plans to provide support to children subject to Child Protection plans.

## 2. Child Protection

Child Protection involves protecting children or young people from harm and/or the risk of harm from abuse or neglect.

Child Protection processes involved the consideration, assessment and planning of required action, together with the actions themselves, where there are concerns that a child may be at risk of harm. Child Protection processes fall at the urgent end of a continuum of services which include prevention and early intervention. Child Protection procedures are initiated when police, social work or health professionals determine that a child may have been abused or may be at risk of immediate and significant harm.

The National Guidance for Child Protection in Scotland (2021) describes 'harm' in this context as the ill treatment or the impairment of the health or development of the child, including, for example, impairment suffered as a result of seeing or hearing the ill treatment of another. 'Development' can mean physical, intellectual, emotional, social or behavioural development. 'Health' can mean physical or mental health. Forming a view on the significance of harm involves information gathering, putting a concern in context, and analysis of the facts and circumstances.

Child Protection involves:

- immediate action to prevent significant harm to a child;
- inter-agency investigation about the occurrence or probability of abuse or neglect, or of a criminal offence against a child;
- assessment and action to address the interaction of behaviour, relationships and conditions that may, in combination, cause or accelerate risks;
- a focus within assessment, planning and actions to the voice of the child and recognising their experience, needs and feelings;
- collaboration between agencies and persistent efforts to work in partnership with parents in planning and action to prevent harm or reduce risk of harm;
- recognition and support for the strengths, relationships and skills within the child and their world in order to form a plan that reduces risk and builds resilience.

Child Protection in East Lothian is co-ordinated by the East and Midlothian Public Protection Committee. This committee has a range of representatives including Police Scotland, health, social work, and education.

### 2.1 Child Protection Procedures

East Lothian Council staff should, at all times, comply with the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) [Inter-agency Child Protection Procedures - Edinburgh the Lothians Oct 2015.pdf \(emppc.org.uk\)](#)

Child Protection concerns should be recorded on the Child Protection concerns form found here [GIRFEC in East Lothian - Child Protection \(google.com\)](#)

### Key Points:

- Child Protection referrals should never be delayed;
- if a child or young person makes a disclosure of a Child Protection concern, the Child Protection processes should be initiated as soon as possible;
- if a child or young person discloses or a member of staff becomes aware of a Child Protection concern, this should be shared immediately with the Designated Member of Staff or their line manager;
- parents or carers should be contacted unless doing so would present a risk to the child or young person;
- staff must note the details on the Child Protection concern form, reassure the child or young person and explain that the information needs to be shared with the appropriate member of staff, do not promise confidentiality;
- the Designated Member of Staff (DMS) will ensure that they have gathered all the information required and make the referral to the duty team in Children's Services;
- if the Designated Member of Staff is not available or, you are not a member of school staff, you should contact:

-Duty Social Work (Mon-Thurs 9-5pm; Fri 9-4pm) - 01875 824309

-Emergency Social Work (after hours, weekends, public holidays) - 0800 731 6969

## 2.2 Information Sharing

Sharing relevant information at the right time is an essential part of promoting, supporting and safeguarding the wellbeing of children and young people, including protecting them from neglect or physical, mental or emotional harm.

If there are concerns that a child or young person may be at risk of significant harm then existing Child Protection processes should always be followed. In these situations information can be shared without consent to allow protection for children and young people.

National Guidance regarding information sharing (2022) is available to support practitioners to understand the lawful, fair and proportionate information sharing requirements which complies with all relevant legal requirements. This guidance aims to clarify the circumstances in which information can be shared with another agency, the considerations that need to be taken into account to ensure sharing information with another agency is appropriate, and the importance of involving children, young people and families in the decision to share information with another agency [getting-right-child-practice-guidance-4-information-sharing-2022.pdf \(www.gov.scot\)](https://www.gov.scot/publications/getting-right-child-practice-guidance-4-information-sharing-2022/pdfs/full.pdf)

All staff should have completed the General Data Protection Regulation (GDPR) Learn Pro Module as part of their induction and refresh this learning every 2 years.



## **Why and When Should You Share Information**

- You should share information when you are worried about a child or young person's wellbeing or a possible child protection issue;
- If you feel a child or young person is at risk of harm you should go ahead immediately (and without consent) to share information as necessary and proportionate. You should record the reasons why you have done as soon as possible afterwards;
- If the child or young person is in full agreement, where appropriate, and their parent / carer is too, you can share information.

## **What to Share**

- Information which is necessary, proportionate, lawful and relevant;
- Information which relates to your concern, nothing superfluous;
- The information sharing must be necessary for the specific purpose;
- The information that is shared must be the minimum necessary to achieve that purpose.

## **Who to Share With**

- Share with others on a 'need to know' basis;
- Verify the identity of the person before sharing any information with them.

## **How to Share**

- Select a method of communication which is most appropriate with the situation;
- Securely and in line with East Lothian's GDPR guidance.

A record of what information has been shared, with whom and for what purpose should be in place to ensure compliance with Data Protection legislation.

# 3. Recording Information

Decision-making depends on having sufficient, succinct, accurate and accessible records. A distinction should always be made between facts, hearsay and opinion. Recording information should focus on the children and young person at the centre identifying any impact on them and should be recorded as soon as possible after the event noting any actions taken.

## 3.1 Child Protection Files

A Child Protection file should be opened when a referral to one of the core agency proceeds to Inter-Agency Referral Discussion (IRD) or to Case Conference. The Child Protection file remains with the pupil throughout their time at school even if the pupil is subsequently removed from the Child Protection Register. This is recognition of the potential lasting impact that being placed on the Child Protection Register can have.

Child Protection Files should be paper based and kept separate from a Pupil's Progress Record (PPR), clearly labelled on the front as 'Confidential - Child Protection'.

The Child Protection File should include:

- the child's name and any other name the child has been, or is known by;
- the child's date of birth;
- the pupil's Scottish Candidate Number (SCN);
- records of any disclosures;
- Child Protection concern forms;
- Child Protection planning meetings and minutes;
- Children's panel reports and correspondence including the decisions of Children's Hearings.

It is the responsibility of the Designated Member of Staff for Child Protection (DMS) to ensure that all children and young people currently or previously on the Child Protection Register have a Child Protection File.

Access should be restricted to key staff in order to meet the needs of the individual child or young person.

Where a pupil changes school, the DMS must ensure that the Child Protection File is transferred as soon as possible. Best practice would be for the DMS to meet with their equivalent in the receiving school to hand over the file. If this is not possible, the file should be transferred separately from the PPR, sent tracked and confirmation of receipt should be obtained.

[GIRFEC in East Lothian - Child Protection \(google.com\)](#) holds both Child Protection and Wellbeing Concern Forms, where staff can also access further support and information.

Child Protection files are required to be retained by East Lothian Council for 35 years.

Please note that all records are legal documents and can be used in court as evidence or in relation to professional conduct. All records should be compatible with GDPR.

## 3.2 Pastoral Notes/Chronologies

All East Lothian schools use Latest Pastoral Notes (part of SEEMiS Click & Go) to record relevant pastoral information and note significant events for all children and young people from the point of entry to school. They should be used to signpost to other sources of information such as a Child Protection File.

Pastoral Notes must be written using neutral and objective language and should record facts, sources of information and clear outcomes. The information contained within Pastoral Notes, latest significant events, will form the basis of a single agency chronology if one is required.

All staff have a duty to ensure Pastoral Notes are up to date, accurate and record key events in order to support our safeguarding duties and professional standard for registration, in keeping children safe.

A significant event in a child's life should be considered for events that are both positive and negative which reveal patterns of behaviour and their impact on a child or young person's life. Entries should be detailed enough to provide emerging patterns of risk, concerns and protective factors. Information should be succinct and organised in a way to make sense to the reader, whilst recording decisions made and the rationale for the decision. Analysis of significant events over time e.g. a chronology may highlight gaps in information that require further clarification, exploration and assessment moving forward.

More detailed guidance and training materials relating to Pastoral Notes and chronologies can be accessed via the GIRFEC site [GIRFEC in East Lothian \(google.com\)](#).

## 4. Staff Roles & Responsibilities

All staff working in education establishments have a key role in the support and protection of children and young people.

All East Lothian Council staff must be aware of and must follow the Lothian Inter-agency Child Protection Procedures (2015).

In addition, all employees are expected to promote and adhere to all professional codes of practice that is relevant to their professional role for example:

- the General Teaching Council Scotland Code of Professionalism and Conduct [Professional Standards and Professional Learning - The General Teaching Council for Scotland \(gtcs.org.uk\)](#)
- the Scottish Social Service Council Code of Practice <http://www.sssc.uk.com/>
- the Health Care Professional Council Code of Conduct [Standards of conduct, performance and ethics | \(hcpc-uk.org\)](#)

The National Framework for Child Protection Learning and Development (2012) identifies three workforce groups, each of which requires different competences, knowledge and skills, based on the nature and extent of their contact (direct or indirect) with children, young people and other family members (and their consequent roles in relation to Child Protection). This policy outlines the responsibilities and training requirements for each group.

These groups are:

- i. General Contact Workforce
- ii. Specific Contact Workforce
- iii. Intensive Contact Workforce

The examples given for each workforce group should not be seen to be definitive, nor exhaustive, but only to give a general indication of the types of roles that might be covered. Staff should seek guidance from their line manager if they are unsure which workforce is relevant to their post.

It is the responsibility of Service Managers of each workforce group to consider the training needs of their staff and to highlight the processes for Child Protection and Safeguarding. It is essential that all

visiting staff to schools understand the importance of safe working practices and Child Protection procedures.

It is the responsibility of Service Managers and Heads of Establishment to ensure that staff with whom they have line management responsibility have their mandatory Child Protection training up-to-date.

## 4.1 General Contact Workforce

General Contact Workforce are those who, as part of their job, are likely to come into contact with children, young people and other family members. The frequency of the contact will vary, but these workers will not usually be involved in any in-depth personal work with them. However, these workers need to have the confidence and awareness to recognise when a child or young person may be in need of protection, and how to respond.

The general contact workforce include:

- Janitorial Staff
- Catering Staff
- Office Staff
- School Crossing Patrol Workers
- Maintenance Workforce
- Cleaning Staff/Facilities Management Staff
- School Transport Officers

The General Contact Workforce have the following responsibilities:

- have an understanding of the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) and know how to take immediate, appropriate action if required;
- complete the mandatory Public Protection, PREVENT and Child Protection 1 Learn Pro modules within a maximum of 4-weeks of commencing employment with East Lothian Council;
- complete the Child Protection 1 Learn Pro module thereafter every 2 years;
- be offered access to Child Protection training in August each year, as identified linked to their role, professional development needs or context of the school;
- be able to identify the Designated Member of Staff (DMS) for the educational establishment they are working;
- recognise concerns about children and young people and identify possible risks and signs of child abuse and neglect;
- effectively communicate / recognise, respond, record and report, any Child Protection or wellbeing concerns.

## 4.2 Specific Contact Workforce

Specific Contact Workforce are those who carry out direct work with children, young people or other family members; form more in-depth relationships with them; and / or provide specific services to them. These workers may carry out regular work with a child, young person or adult (although this will not always be the case). Contact may take place in the home or another setting (e.g. an office, school, community facility etc.). It may involve one to one work, or work in a group. These workers may be

asked to contribute to the risk assessment and risk management process and may be involved in providing ongoing support to some children, young people and other family members. These workers require the competences, knowledge and skills associated with the general contact workforce, and some additional competences, knowledge and skills to reflect the nature of their involvement with children, young people and their families.

The specific contact workforce include:

- Named Education Contact
- Teachers
- Additional Support Needs Auxiliaries
- Support Staff
- Youth Workers
- Educational Psychologists
- Instrumental Instructors
- Outdoor Education Staff
- Early Learning and Childcare Staff
- Active Schools Staff and Development Officers
- Behaviour Support Staff
- Quality Improvement Officers
- Education Support Officers
- East Lothian Works Staff And Partners

The Specific Contact Workforce have the following responsibilities:

- have an understanding of the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) and know how to take immediate, appropriate action if required;
- complete the mandatory Public Protection, PREVENT and Child Protection 1 Learn Pro modules within a maximum of 4-weeks of commencing employment with East Lothian Council;
- complete the Child Protection 1 & PREVENT Learn Pro modules thereafter every 2 years;
- complete chronology and pastoral notes training and refresh as required;
- be able to identify the Designated Member of Staff (DMS) for the educational establishment they are working;
- recognise concerns about children and young people and identify possible risks and signs of child abuse and neglect;
- effectively communicate / recognise, respond, record and report, any Child Protection or wellbeing concerns;
- to understand their roles and responsibilities and be able to take appropriate action in relation to interagency procedures;
- provide informed advice and support to others about Child Protection issues;
- attend an annual Child Protection update (in addition to the Learn Pro module) to develop understanding and awareness of different forms of abuse, contextual Safeguarding and emerging themes and risks relevant to Child Protection, Safeguarding and wellbeing.

## 4.3 Intensive Contact Workforce

Intensive Contact Workforce are those who have specific designated responsibility for Child Protection as part of their role; and / or those who will be involved in undertaking Child Protection investigations or working with complex cases (e.g. providing particular forms of support relating directly to Child Protection).

The intensive contact workforce include:

- Designated Members Of Staff
- Lead Professionals
- Early Learning And Child Care Managers

The Intensive Contact Workforce have the following responsibilities:

- have an understanding of the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) and know how to take immediate, appropriate action if required;
- complete the mandatory Public Protection, PREVENT and Child Protection 1 Learn Pro modules within a maximum of 4-weeks of commencing employment with East Lothian Council;
- complete the Child Protection 1 & PREVENT Learn Pro modules thereafter every 2 years;
- complete "Child Protection Risk Assessment and Processes" (Level 2) and refresh this every 3 years, or in line with change of policy or changing needs of the service. This training is essential prior to becoming DMS;
- undertake additional training to support knowledge and understanding of current Child Protection and Safeguarding trends, in order to support staff and children and young people
- be able to identify all staff who have completed "Child Protection Risk Assessment and Processes" (Level 2) and could deputise for DMS for the educational establishment they are working;
- recognise concerns about children and young people and identify possible risks and signs of child abuse and neglect;
- effectively communicate / recognise, respond, record and report, any Child Protection or wellbeing concerns;
- to understand their roles and responsibilities and be able to take appropriate action in relation to interagency procedures;
- provide informed advice and support to others about Child Protection issues;
- attend an annual Child Protection update (in addition to the Learn Pro module) to develop understanding and awareness of different forms of abuse, contextual safeguarding and emerging themes and risks relevant to Child Protection, Safeguarding and wellbeing;
- deliver additional annual training to their school community to ensure compliance of our duties and responsibilities for Child Protection and Safeguarding;
- ensure that appropriate emergency action is taken to protect a child or young person
- initiate and participate in a Child Protection enquiry with other relevant workers, including an initial / inter-agency referral discussion;
- provide informed advice and support to others about Child Protection issues;

- engage, communicate, observe and work effectively with children, young people and their families and with children, young people and their families in specific circumstances (e.g. affected by substance misuse, domestic abuse and other factors identified above);
- ensure that all wellbeing concerns are recorded according to East Lothian Council policy and initiate child planning meetings to address issues of well-being, if a Child Protection multi agency response is not required;
- understand their roles and responsibilities in regards to East Lothian Council whistleblowing policy.

#### 4.4 Named Education Contact

Every child or young person attending an East Lothian educational establishment has a Named Education Contact. From birth to beginning primary education, the named person for all children is usually their Health Visitor or Family Nurse. Health Visitors responsibilities include the Named Person role and function.

A Named Education Contact will be allocated at entry to an educational establishment. For some children this will be from age two. For primary school aged children the named education contact will be a member of the school Senior Leadership Team (SLT): either a Depute Head Teacher or Head Teacher. For young people in secondary schools this will be either their Guidance Teacher or Depute Head Teacher.

The Named Education Contact acts as a point of contact for children, young people, families, school staff and other agencies who have wellbeing or safeguarding concerns about a child or young person. They also promote, support and safeguard the wellbeing of children and young people.

The Named Educational Contact will promote effective communication with partner agencies, as appropriate and proportionate, in order to promote children and young people's protection, safeguarding, well-being and safety.

#### 4.5 Head Teachers

The Head Teacher for each school is ultimately responsible for ensuring Child Protection and Safeguarding policy and procedures are in place.

Role and Responsibilities of the Head Teacher:

- appoint a DMS and ensure this is displayed prominently throughout the school for all stakeholders and visitors to access when within the school community;
- ensure that, where possible more than one member of the Senior Leadership Team has completed "Child Protection Risk Assessment and Processes" (Level 2) training in order to cover in absence of DMS;
- ensure DMS staff and Child Protection procedures are shared with all visiting staff, partner agencies and visitors to the school;
- review with all staff the authority's policies and procedures on Child Protection, Safeguarding, care and welfare;

- ensure training for all staff on Child Protection is given appropriate priority;
- ensure staff understand their roles and responsibilities within East Lothian Council; Whistleblowing Policy, including the process should their concerns be in relation to the DMS or Senior Leadership Team;
- ensure recruitment and induction procedures give due regard to Child Protection;
- ensure all adults working within schools understand the schools processes and their responsibilities for Child Protection and Safeguarding;
- ensure that appropriate emergency action is taken to protect a child or young person;
- ensure support and debriefing for staff involved in Child Protection cases;
- ensure that children and young people know how to access support when concerned about themselves or another young people, and feel able to make a complaint against school practice and procedures;
- ensure staff understand their roles and responsibilities within East Lothian Council [Management Arrangement for lone working | East Lothian Intranet](#);
- ensure that the curriculum effectively promotes safeguarding and wellbeing across all stages, is accessible and appropriately differentiated for pupils with ASN;
- maintain an overview of any information, as well as contributing to an appropriate chronology received by DMS, decisions on recording and referral, liaison with core agencies during investigation, proceedings and actions planning to support our children;
- ensure that contact with partner agencies and other services used by the school reflect appropriate consideration of care and welfare and Child Protection;
- ensure that as an essential part of the Professional Review and Development process, Child Protection and other mandatory modules are discussed and the date of the training is current and recorded;
- ensure staff understand and use appropriate record keeping in line with Records Keeping and Information Storage for Child Protection and well-being concerns;
- ensure parents and carers understand how we record and store information;
- the establishment handbook should contain clear information for parents on the role of education staff in reporting Child Protection concerns;
- East Lothian Council Child Protection and Safeguarding Checklist (Appendix 4) should be completed by new staff, students and newly qualified teachers;
- complete an annual self- evaluation for 2.1, as well as scorecard summary, demonstrating staff have adhered to their contractual obligations and return as an appendix to the School Improvement Plan.

## 4.6 Designated Member of Staff for Child Protection

Every school will have at least one Child Protection Lead Co-ordinator who is given the title Designated Member of Staff for Child Protection (DMS).

The DMS will be the first point of contact for all staff, families and partners for Child Protection matters and there should be clear understanding for delegation of this role if the Designated Member of Staff is unavailable.



## Role and Responsibilities of the DMS:

- ensure the name, contact details and photo(s) of the DMS is clearly displayed throughout the educational establishment;
- ensure arrangements for making a wellbeing or Child Protection concern are well publicised and understood by staff, pupils, families and partners;
- ensure all staff, pupils, families and partners are aware of their responsibilities in relation to Child Protection and Safeguarding;
- put in place a robust induction process in terms of Child Protection and Safeguarding for new staff, students, volunteers and 3<sup>rd</sup> sector partners to the school (see Appendix 4);
- be the first point of contact for staff who have a Child Protection concern;
- follow Child Protection Inter-agency Child Protection Procedures for Edinburgh and the Lothian's, procedures without delay and ensure they are available as a matter of priority to the Inter-agency Referral Discussion (IRD) process in case further information is needed to clarify the decision making process of the IRD;
- ensure that appropriate emergency action is taken to protect a child or young person;
- liaise with core agency staff to support investigations, court proceedings, Child Protection planning meeting, core groups, supervision requirements and case reviews;
- ensure appropriate support to pupils and parents affected by Child Protection
- put in place support for staff affected by a Child Protection concern;
- contribute to appropriate assessment, including the assessment of risk of harm, and assessment of children and young people affected by specific issues or in specific circumstances;
- contribute to a Child Protection Learning Review if required;
- contribute to the development and delivery of an Interim Safety Plan (ISP) as appropriate and to a child's Child Protection Plan and attend relevant meetings;
- undertake appropriate action in conjunction with the Head of Education when there are concerns or allegations of a Child Protection nature made against a member of staff;
- arrange and deliver a Child Protection and Safeguarding update to all staff during the August in-service day to ensure all staff understand their roles and responsibilities as outlined in this policy and are confident in carrying out their responsibilities for Child Protection and Safeguarding;
- ensure appropriate record keeping in line with Record Keeping and Information Storage Policy
- ensure that there are appropriate systems in place to provide an overview of the number and nature of cause for concerns raised, initial referral discussions, Children Protection Planning Meetings and Child Protection Registrations (CPR);
- review school procedures on a regular basis to ensure compliance with national legislation and local authority policies and guidance.

## 4.7 Volunteers and Partners

It is important that volunteers and partners who are in contact with pupils have the confidence and awareness to recognise when a child or young person may be in need of protection and how to respond appropriately.

On entering an educational establishment, office staff must:

- ensure all visitors are asked to sign in and out of the building, as well as ensuring they are allocated a visitor's badge;
- highlight the Child Protection poster outlining DMS details;
- share any Health and Safety information such as arrangements for fire evacuations and fire alarms.

Volunteers, including pupils who are on extended work experience placements, should be supervised at all times whilst working with children and young people. It is the responsibility of the Head of Establishment to ensure appropriate safeguarding processes and procedures are in place.

It is not expected that a PVG is required for pupils undertaking work experience. The employer/organisation should be made aware of any concerns and appropriate risk assessments must be put in place if required.

If volunteers are working in schools on an extended or regular basis they are deemed as carrying out regulated work and are required to have a PVG in place prior to commencement.

Accompanying adults who volunteer to participate in offsite visits are deemed as carrying out regulated work and are required to have PVG in place prior to the excursion.

## 4.8 Supply Staff

Supply Staff will complete the Child Protection 1 Learn Pro module and provide a copy of their certificate to the Education Principal Officer Staffing prior to being added to the supply list.

Supply Staff have a responsibility to ensure they seek opportunities to attend the annual August specific workforce training, which is taking place across East Lothian schools and Early Learning and Child Care settings.

Supply Staff should ensure when arriving at any school they locate and read the Child Protection poster providing details of the establishments DMS.

## 5. Code of Conduct for Staff

East Lothian Council expects all employees to maintain official and professional conduct of the highest standard such that public confidence in their integrity is sustained. Council employees are required to comply with the Code of Conduct policy (2020) [Code of Conduct Policy Final 060420 \(1\).pdf](#) in the performance of their duties to ensure that these principles are upheld and that the public can have confidence that actions and decisions by council employees have been taken on merit in the best interests of the council and of the public.

Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions. Staff must avoid inappropriate contact or relationships, maintaining appropriate professional boundaries at all times. Staff professional expectations and code of conduct is describe within their continued registration within the relevant professional body.

Where there is a legitimate need to hold contact details for children and young people, these details should be stored and used appropriately and solely for legitimate professional purposes.

It is never appropriate to hold children and young people's mobile phone numbers and/or e-mail addresses on personal devices.

Where a private tutoring arrangement exists, this must be declared in line with the secondary employment provisions outlined in the East Lothian Council Code of Conduct (2020).

## 5.1 Child Protection Allegations against Staff

Child Protection allegations against staff must be taken seriously. Allegations may be made against members of staff currently involved with children, but may also be made against staff who are no longer involved in the provision of services. In all circumstances, the matter must be treated seriously and the response must be prompt. All allegations against staff must be dealt with transparently, but with considerable sensitivity to the management of information.

Advice should be sought from HR if there are concerns around contractors, escorts or other staff who may be indirectly employed by East Lothian Council.

Child Protection allegations towards children and young people by staff should be reported to the DMS immediately who will follow the procedures as per [Inter-agency Child Protection Procedures - Edinburgh the Lothians Oct 2015.pdf \(emppc.org.uk\)](#) .

- It is essential that the DMS gathers the relevant information in relation to the allegation, using the same open questioning used for children and young people, asking for more detail where possible. As per the Interagency Procedures, the allegation must be reported to one of the core agencies immediately. Where appropriate, DMS will liaise with the HT and the Head of Education.
- In all instances, the Head Teacher or DMS should prioritise the protection of the child or young person by taking immediate steps to remove contact between the staff member and the child/young person.
- If the allegation concerns the DMS, the staff member whom the allegation has been disclosed to, should gather the relevant information and report directly to one of the core agencies immediately.
- The staff member subject of the allegation will not be interviewed concerning the matter prior to a decision being made at inter-agency referral discussion, as to whether the matter warrants a Child Protection investigation.

- In all circumstances of staff allegations, the police investigation and inter-agency referral discussion must be concluded before an Education investigation may be undertaken.
- Further advice should be sought from HR regarding decisions to suspend the member of staff pending the IRD and internal investigation.

## 5.2 Whistleblowing

If any employee is seen to behave inappropriately with a child or young person it is important that it is not ignored. If there is a concern about the immediate safety of a child or young person then Child Protection procedures should be followed. Staff must report any concerns to the Headteacher or the DMS in school immediately who in turn, should notify and seek immediate support from the Head of Education.

Staff are able to report concerns about colleagues in good faith and without fear of repercussion via the Council Whistleblowing Policy although this should not delay an immediate action that maybe require. The policy provides clear instructions on how matters can be dealt with thoroughly, discreetly and in a confidential way [Whistleblowing Policy | East Lothian Intranet](#).

If the allegation concerns the DMS, the staff member should gather the relevant information and report directly to one of the core agencies immediately.

East Lothian Council is committed to good practice and high standards and will be supportive of any staff who raise a genuine concern. The Council recognises that the decision to raise a concern can be a difficult one to make and will protect an employee who raises a genuine concern if they honestly and reasonably believe that what they are reporting is true and they believe that their disclosure is in the public interest.

## 6. Safeguarding

Safeguarding is a much wider concept than Child Protection and promotes preventative action to improve the wellbeing of every child and young person.

Safeguarding in the widest sense aims to support the development of a pupil's knowledge, skills and resilience to keep safe and protect themselves. Children and young people need to develop an understanding of the world so that they can respond to a range of issues and potential risky situations arising throughout their lives. As such, safeguarding permeates many features of the education experience including leadership, values, vision and the curriculum.

Establishments with effective safeguarding practices will:

- ensure that the holistic wellbeing of all children and young people is integral to everything that they do;
- develop and implement safeguarding practices with clear responsibilities and expectations for all staff;
- ensure their curriculum promotes safeguarding and wellbeing at all stages within the context of the school;

- ensure that the Relationship and Sexual Health and Parenting programme is central to the Health and Wellbeing curriculum;
- ensure that all pupils access their entitlement to a Health and Wellbeing curriculum, including those on an alternative education pathway (e.g. school-college partnership);
- ensure that the Relationship and Sexual Health and Parenting programme is differentiated and adapted for pupils with additional support needs especially those with more complex needs and disabilities;
- focus on developing positive relationships and a whole school ethos where children and young people, families and community partners feel included, respected, safe and secure;
- implement the “*Respect for All: A Positive Approach to Prevent Bullying*” policy including recording procedures;
- ensure equality and diversity by listening to, respecting and responding to children and young people;
- ensure effective communication with partners, in order to ensure collegiate responsibility for, the health and wellbeing of children and young people;
- ensure all staff understand their collective responsibility for all children and young people’s mental, social and emotional wellbeing, as outlined in Health and Wellbeing, Responsibility of All;
- promote pupil voice and participation to develop pupil pathways to seek support for their own and peer wellbeing;
- ensure the safety and welfare of children and young people is considered through self-evaluation processes;
- equip learners with the knowledge, skills and ability to think for themselves and endeavour to keep themselves safe;
- inform learners where and how they can access relevant support;
- create a supportive ethos in which children and young people feel able to make a complaint and be confident their views will be listened to and acted on;
- promote learning about different faiths and cultures.

## 7. Factors to Consider in Safeguarding

There are a number of factors staff should take into consideration when considering the safeguarding of children and young people which are outlined below and detailed further within National Guidance for Child Protection in Scotland (2021)

### 7.1 Child Sexual Exploitation (CSE)

Child Sexual Exploitation is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act.

Child Sexual Exploitation can occur through the use of technology and without the child's immediate recognition. The sexual exploitation of children and young people is an often hidden form of child sexual abuse, with distinctive elements of exploitation and exchange. This may take place within an apparently consensual relationship.

In all cases, those exploiting the child or young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are often common features, with involvement in exploitative relationships being characterised in the main by the child/young person's limited availability of choice resulting from their social, economic and/or emotional vulnerability.

Staff should consider:

- age
- gender
- power imbalance
- Additional Support Needs
- vulnerabilities- social, economic and emotional
- was there coercion and/ or manipulation
- access to or promise of material possessions and other entities ( food, alcohol gifts etc)
- if the child/young person going missing for periods of time or been reported to be missing
- if the child/young person is accessing and using substances and / or alcohol

## 7.2 Child Criminal Exploitation (CCE)

Child Criminal Exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity, in exchange for something the victim needs or wants, for the financial or other advantage of the perpetrator or facilitator, or through violence or the threat of violence.

Child Criminal Exploitation can be within our communities but can also be a factor within families. The victim may have been criminally exploited, even if the activity appears consensual.

Child Criminal Exploitation does not always involve physical contact – it can also occur through the use of technology.

Staff should consider:

- Has the child or young person's attendance changed?
- Has the child or young person friendship group changed?
- Have they come to the attention of the police?
- Have their behaviours and presentation changed?
- Are they using alcohol or drugs?
- Have they become more violent?

- Do they have unexplained injuries?
- Are there other vulnerabilities to consider?
- Do they have access to more funds?
- Have they gone missing or been reported missing?

### 7.3 Children with Additional Support Needs

Children and young people with a broad range of physical, emotional, developmental, learning, communication and healthcare may be additionally vulnerable to abuse and neglect. Children with Additional Support Needs are 3 to 4 times more likely to be abused than non-disabled children. Disclosing abuse can be more difficult for children and young people who have a wide range of communication styles, and this can be more problematic if a perpetrator is also in a trusted role.

Protecting disabled children and young people is a shared responsibility for all involved, requiring close collaboration between Education and Health as well as specialist practitioners, those leading Child Protection investigation, and parents or carers and advocacy services, as relevant in each situation. Their dependency on parents, carers and service providers for practical assistance in daily living, including intimate personal care, increases their risk of exposure to abusive behaviour.

Staff should:

- consider the impact of any disability for a child or young person within Child Protection processes;
- ensure staff understand pupil's communication needs in terms of needing support or protection from harm;
- understand the family context and note any significant changes;
- ensure staff are aware of each child and young person's physical needs;
- ensure staff feel confident and are curious in exploring Child Protection, Safeguarding and wellbeing concerns;
- ensure effective recording of any changes in presentation;
- provide access to specific assistance and communication support where requires to allow pupils to share their experience and participate. Some children have profound difficulties in communicating their experience and require special consideration to ensure attunement to their experience, and attention to ensure their wellbeing and safety;
- ensure the Child's Plan is a holistic assessment of their needs and that triggers and any self-harm/ injury as identified at a Child Planning Meeting or from a health colleagues are recorded;
- keep effective accurate and up to date chronologies, using latest significant events within Pastoral Notes;
- ensure all children and young people have access to sex education and personal and social development, as appropriate to their needs.

Staff should consider:

- changes in the child or young person's behaviour or reactions;
- changes in the child or young person's health and intimate care need;
- changes in the child or young person's emotional needs e.g. increase in crisis? Withdrawn?
- if there is a pattern emerging regarding concerns;
- signs of neglect over time;
- if the child or young person is socially isolated;
- if there an unexplained injury or a pattern of explained injuries;
- additional stressors at home.

In cases where a child or young person has complex communication needs, staff must not assume that an investigation cannot take place without a disclosure.

## 7.4 Domestic Abuse

When thinking about the consequences of domestic abuse, it is important to consider the mental, emotional, physical, social and financial impact on the individual and the family.

Staff must ensure where there is knowledge or suspicion of domestic abuse that:

- they deal with every situation sensitively and confidentially;
- they take account of all circumstances when dealing with domestic abuse and violence;
- all staff understand that any change in behaviour could be linked to domestic abuse and consider the psychological and developmental effects on the child or young person, who may be experiencing conflicting emotions;
- they take into account arrangements for parental consultations, child planning meetings or school events, considering risk, stressors and potential triggers;
- make alternative arrangements where possible to ensure parental rights are upheld but arrangements are in the best interests of the safety of the family;
- ensure staff understand all types of domestic abuse and the impact this has on children and young people, even if not directly witnessed by them;
- support all staff to consider their choice and use of language when dealing with children, young people and wider family to provide the support they need;
- take advice from the Council's legal team, other agencies and partners in light of a subject access request to ensure the safety of the family;
- contribute and implement safety planning, including risk assessments for the children, young people;
- consider domestic abuse as part of a holistic assessment taking into consideration police reports and the impact on the family, in particular if the perpetrator remains part of the family home;
- be mindful of challenging circumstances of the survivor that may impact on their ability to participate fully and maintain positive relationships within the school environment.



## 7.5 Online Safety and Technology

Technology is becoming increasingly intertwined in the everyday lives of children and young people, with less distinction being made between the online and offline worlds (*National Action Plan on Internet Safety for Children and Young People, 2017*). This brings a distinct set of challenges with regards to Child Protection and safety of children and young people.

Schools should ensure they follow RSHP and access other appropriate resources, in order to ensure internet safety is both a spiral curriculum and responsive to the needs of all their children and young people.

The curriculum should include discussion about the strategies to deal with the following topics:

- exposure to obscene, violent or distressing material;
- bullying, coercion or intimidation through email and online bullying (cyberbullying);
- identity theft and abuse of personal information;
- pro-eating disorder, self-harm or suicide sites;
- internet enabled sexual offending, including grooming, possession and exchange of indecent abusive images and non- consensual sharing of images (*this can be referred to as technology assisted harmful or problematic behaviour*);
- exploitation such as radicalisation, sexual or criminal.

School must ensure:

- every child and young person has an age appropriate and evolving understanding of the opportunities and risk which exist in the online world;
- there is a coherent and progressive and differentiated curriculum, appropriate to age and stage of development that revisits key messages from 3- 18 teaching about online behaviour and relationships;
- children and young people have the skills, knowledge to identify the variety of risks within social and digital media and know how and where to seek support;
- they support children and young people develop strategies in keeping themselves safe, emotional, physically sexually and criminally;
- children and young people know how to access support and know how to report bullying or abuse;
- children and young people understand the legal, moral and emotional consequences of online bullying, coercion or intimidation;
- they help children and young people understand the implications and potential criminality of displaying bullying behaviour and/or images via social media or electronic communication;
- they provide training and support to children and young people on what to do if they experience bullying behaviour online;
- children and young people understand taking, possessing, distribution or sharing sexualised and indecent images of any person under the age of 18 is a criminal offence;
- all children and young people know how to take precautions that can be taken to ensure digital safety;

- children and young people can identify risk associated with the internet in terms of child sexual exploitation.

## 8. Safeguarding in and beyond the Health and Wellbeing Curriculum

All staff have a collective responsibility for all children and young people's mental, social, emotional and physical wellbeing as outlined in Health and Wellbeing Responsibility of All.

Safeguarding should be embedded and evident within a school's Health and Wellbeing Curriculum. The curriculum should support learners' knowledge, skills and resilience to keep themselves safe, protect themselves and develop an understanding of the world so they can develop suitable responses to a range of issues and potentially risky situations that may arise in their lives.

The Health and Wellbeing Curriculum includes the following organisers:

- Mental, emotional, social and physical wellbeing
  - Prejudice, bullying and discrimination
  - Positive relationships
  - Mental wellbeing and coping skills ( mental health)
- Planning for choices and changes
  - Informed choices
- Physical Education, physical activity and sport
- Food and Health
- Substance Misuse
- Relationships, Sexual Health and Parenthood
  - Consent, privacy, different types of abuse ( including Violence against Women and Girls) and safety
  - Positive relationship
  - Online safety and technology assisted harmful sexual behaviour
  - Sexual health

All schools in East Lothian must follow the Relationships, Sexual Health and Parenthood (RHSP) Curriculum as the core Personal and Social Education and the Health & Wellbeing Curriculum [Home - RSHP](#)

Schools must ensure:

- all pupils access their entitlement to a Health and Wellbeing curriculum, including those on an alternative education pathway (e.g. school-college partnership);
- all staff understand their collective responsibility for all children and young people mental, social and emotional wellbeing as outlined in Health and Wellbeing Responsibility of All;

- ensure that the Relationship and Sexual Health and Parenting (RSHP) programme is central to the Health and Well-being & PSE curriculum from Early through to senior phase inclusively;
- ensure RHSP is differentiated and adapted for pupils with additional support needs especially those with more complex needs and disabilities;
- ensure their curriculum promotes safeguarding and wellbeing for all stages within the context of the school;
- promote pupil voice and participation to develop pupil pathways to seek support for their own and peer well-being.

Secondary schools must ensure:

- that safeguarding topics are mapped out across different subject areas to ensure safeguarding is the responsibility of all;
- that HWB/ PSE and guidance teachers are not solely responsible for delivering a series of lessons but that linking online safety, child exploitation, grooming and radicalisation to IT, as well as exploring interdisciplinary learning for this e.g. RME, history, modern studies reflects the risks and safeguarding measures in appropriate and varied contexts.

The Scottish Catholic Education Service advice that RSHP can be used to support the delivery of HWB lessons in denominational schools, noting it can be a useful tool to help teachers plan and deliver RSHP lessons in line with Curriculum for Excellence, within the wider context of Church teaching and the culture and ethos of individual schools.

## 8.1 Under Age Sexual Activity

Healthy relationships and consent have been developed as part of supporting positive relationships and sexual wellbeing in young people. Relationships should be mutually respectful, consensual, positive, healthy and enjoyable.

The law continues to make clear that society does not encourage sexual intercourse in young people under 16 years of age. It does not follow that every case has Child Protection concerns and it is important to ensure that a proportionate response is made and that only appropriate cases are brought to the attention of social work and the police.

Even if there are no Child Protection concerns, the young person may still have worries or be in need of support in relation to their sexual development and relationships, which will require to be addressed either on a single agency or multiagency basis.

Schools must support the development of a positive culture around relationships and sexual health in which young people are supported to build healthy, respectful, consensual and enjoyable relationships.

Any young person under the age of 13 years who is engaged in sexual activity will automatically be considered within a Child Protection Inter-Agency Referral Discussion. Schools must report this immediately to one of the core agencies, discretion and professional judgement will be used to identify the most appropriate agency.

Schools must ensure that:

- a proportionate response is made and that only appropriate cases are brought to the attention of social work and the police;
- they ask open questions and listen to the views and rights of the young person;
- reflect back to the young person what they have said to check their understanding;
- seek feedback from young people in your area on the terms they use to describe sexual activity and use if appropriate;
- establish consent, in order to establish if this was a mutual process or if other factors need to be considered (verbal, non-verbal, coercion, power imbalance, capability etc.);
- they offer access to and signpost to appropriate information, advice and services e.g. health support and other agencies;
- they work with the young person to share the information with their parents and guardians;
- they support the young person in reporting.

Child Protection measures must be instigated if:

- the young child, is or believed to be, sexually active and is 12 or under;
- the older child is 13 or over but sexual activity took place when they were 12 or under;
- information suggests the any older child has been forced or enticed to take part in sexual activities (sexual abuse including Child Sexual Exploitation).

In these particular cases, DMS or trusted adult need to establish as much information of possibly, taking cognisance of:

- ages of the parties involved
- any ASN, power imbalance or vulnerabilities
- consent, coercion or aggression
- any substance misuse

It is vital that advice is sought and the DMS support the young person to speak to their parents, whilst respect the rights of the child within UNCRC. As within the guidance from the IRD process, the young person over 13 will need to give consent to take part in a joint interview in order for this to progress.

It is vital that any immediate medical or emotional needs are met and that a range of supports are shared with the young person both in school and from other services.

## 8.2 Harmful Sexual Behaviour (HSB)

Whilst sexualised behaviour can be a natural healthy part of growing up, some children and young people may develop inappropriate and problematic habits, or display sexually harmful behaviour. Other children may be victims of harmful sexual behaviour.

There is a range of common and healthy sexual behaviours at ages from early years to young adulthood. When a child or young person behaves in ways considered to be outside this range, their behaviour may be called 'harmful' because it is harmful to themselves or others.

Distinguishing between appropriate non-abusive behaviour and inappropriate or abusive behaviour can be a complex task that requires practitioners to have an understanding of what is healthy and informed consent and what is abusive or coercive behaviour

In the first instance, for the safeguarding and protection of the child or young person, schools must consider:

- the safety of the child;
- the child's age and detail of the sexual activity;
- patterns of behaviour or sexual activity whilst acknowledging the young person's rights and confidentiality;
- the categories within the continuum (Normal, inappropriate, problematic, abusive, violent) as outlined in [Beyond Referrals: Levers for addressing harmful sexual behaviour in schools \(education.gov.scot\)](#)
- whether a multi- agency discussion is required via the Child Sexual Exploitation framework [EMPPC - Inter-agency Guidance on Child Sexual Exploitation - 23-03-16 v1.pdf](#)

To support good practice, schools should:

- consider whole staff training in terms of awareness and understanding of healthy sexual relationships and the continuum of sexual behaviours ranging for normal, experimental and expected behaviours that occur at different stages in childhood;
- increase staff awareness and understanding of inappropriate or problematic harmful behaviours;
- ensure any concerns are recorded on pastoral notes, monitored and analysed at individual and whole school level to establish patterns or escalation of behaviours;
- seek further advice from other agencies to support staff, young people and if appropriate their families;
- support children and young people in keeping themselves safe, including safety planning see [Helping education settings identify and respond to concerns - CSA Centre](#);
- signpost children, young people and their families to support from health services and other agencies;
- create a safe environment to ensure our Safeguarding curriculum is explicitly taught in respect of Child Sexual Exploitation, grooming, pornography and sexual abuse.

### 8.3 Vulnerable Young Person Protocol (VYPP)

In most cases Child Protection or Safeguarding issues will be recorded and addressed within the Child's Planning framework or other statutory measures (e.g. compulsory supervision measures). However, in a small number of cases where this level of planning is not managing the risk of harm to themselves or others the Vulnerable Young Person Protocol (VYPP) should be instigated.

VYPP is intended to give guidance and a structured framework around the multi-agency assessment, planning and decision making for a small group of young people under the age of 21 to reduce the risk of significant harm to themselves or others.

The VYPP is intended to complement the existing Child Protection procedures. It aims to reduce the risk of harm to the young person or others, undertake a multi-agency risk assessment and produce a Vulnerable Young Person Plan (that may include Care and Risk Management (CARM) planning).

Referral criteria and the VYPP process can be found here [EMPPC - Inter-agency Vulnerable Young Persons Protocol - 2-08-18 v2.2.pdf](#)

Anyone who is concerned about the high risk behaviours of a young person should contact Duty Social Work.

## 9. Safeguarding Procedures

There are a number of key procedures that schools must have in place to ensure the Safeguarding of children and young people.

### 9.1 Absconding from an educational establishment

A pupil is deemed to have absconded where they have deliberately left an educational establishment without permission and/or without notifying a member of staff. This section is designed to support schools in managing situations where a pupil has absconded and one or more staff members are present.

Relevant factors to consider when making decisions regarding pupils who have absconded:

- age of pupil and any additional support needs or vulnerabilities relating to the pupil;
- the pupil's current demeanour and the nature of any incidents which led to the absconding;
- any previous absconding incidents involving this pupil and the outcomes of these incidents;
- the immediate environment of the school, including potential hazards such as major roads, railways, rivers, canals;
- prevailing weather conditions or any other situational factors such as ongoing building/maintenance work.

Where a pupil absconds but remains within the perimeter of the establishment grounds staff should utilise appropriate de-escalation strategies and be mindful of any actions which may increase the likelihood of the pupil leaving the establishment grounds.

Where a pupil absconds and moves outside the perimeter of the establishment grounds but remains within the immediate vicinity of the establishment grounds staff should encourage the pupil to initially return back inside the perimeter and thereafter the school building and if the pupil refuses to return, staff should use the relevant factors listed above to risk assess whether they feel the pupil is at immediate risk of harm. Where immediate risk of harm is identified, staff should contact the police without delay. The pupil's parent or allocated worker from partner agencies should also be contacted as appropriate.

Where a pupil absconds and moves outside the perimeter of the establishment grounds staff should contact the police without delay. The pupil's parent or allocated worker from partner agencies should also be contacted as appropriate.

Please refer to the '*Managing Distress and Challenging Behaviour*' (2018) policy for further advice and support [East Lothian EduHub - Local Policies \(google.com\)](#)

All incidents must be reported on SPHERA.

## 9.2 Attendance

The importance of promoting good attendance at school is highlighted by concerns about the safety and wellbeing of children who are not at school. Child Protection is of paramount importance and absence from school may indicate a child is at risk.

This section should also be read in conjunction with the sections 9.4 and 9.9 below.

Schools must:

- have clear and consistently applied measures for following up on unexplained absence and staff understand absence from school is a potential safeguarding risk and understand their role and responsibility in keeping learners safe;
- ensure that they follow "*A Positive Approach to Promoting School Attendance*" policy. The policy outlines timescales and expectations around Child Planning meetings and referrals to Children services or the Children's Reporter (SCRA);
- ensure correct SEEMiS codes are recorded as accurately as possible. It is important where there are school refusers, and/or alternative arrangements for young people that during the CPM process it is agreed that regular contact by the Named Educational Contact will take place and that each time contact or attempted contact is made, this is recorded within pastoral notes. It is important to note any reasons or decisions for any subsequent actions as a result of this safeguarding process;
- consider referrals to other agencies to support the safety and wellbeing of children and young people, as well as accessing interventions to support families.

## 9.3 Child Concern Reports (Vulnerable People Database)

If a Police Scotland Officer attends an incident where children or young people are present and they may be affected by the behaviour of adults or have committed an offence they record and produce a Police Concern Form, named a VPD. If appropriate and in line with legal frameworks, Police Scotland will share the VPD with other agencies including Education staff.

Schools must:

- ensure VPDs are stored securely on the server as per VPD guidance issued to schools & the Record Keeping and Information Storage guidance;
- in cases of Youth Offending, ensure they respond to the request for information as this will influence the multi- agency discussion and disposal decision.

Youth offending cases are taken forward to the multi-agency Early and Effective Intervention Group (EEI) who have a role to:

- consider the wellbeing needs of each referred child or young person;
- provide a multi-agency forum to discuss and agree suitable supports and interventions;
- to promote a rights respecting, strengths based and inclusive approach;
- balance the need for care and protection with risk and public safety;
- promote early intervention to improve outcomes for children, young people and families.

## 9.4 Children Missing from Education

Details regarding Children Missing from Education can be found in section 3.8 of “*A Positive Approach to Promoting School Attendance*” policy [East Lothian EduHub - Local Policies \(google.com\)](#)

Key points:

- In all cases when a child or young person’s absence is unexplained and there are associated Child Protection concerns, schools must initiate Child Protection procedures without delay.
- If a child or young person with significant health needs and whom requires daily medication (except medication for ADHD or Melatonin) is missing for more than 6 hours, schools must initiate Child Protection procedures without delay and report to Police Scotland.
- Schools should use the SEEMiS group call function and contact the emergency contacts on the first two days of an unexplained absence to ascertain the reason for it. On the third day, if no contact has been made with the child or young person’s parent, the school should report the child missing to the social work contact centre by 11am on 01875 824 309.
- Based on the Named Education Contact’s knowledge of the child or young person and their family circumstances, within 4 weeks of the child or young person’s last day at school, a referral to Children Missing from Education Service should be made to [cme.scotland@gov.uk](mailto:cme.scotland@gov.uk).

## 9.5 School Exclusion

Details regarding the policy and procedures of school exclusion can be found in “*Preventing and Managing School Exclusions*” policy (2023) [East Lothian EduHub - Local Policies \(google.com\)](#)

With regards to safeguarding specific consideration must be given when considering the exclusion of a child or young person who is on a Compulsory Supervision Order, on the Child Protection Register or for whom there are current or previous Child Protection concerns.

Staff must discuss any potential decision to exclude with the DMS and the designated Social Worker and Lead Professional (if different) to allow for a full consideration of individual circumstances to take place. This must be done before the decision to exclude is made. It is good practice to inform the Education Support Officer for Care Experienced Children and Young People of the decision to exclude.



## 9.6 Fire Safety and First Aid

Safe schools are needed to protect children, young people, staff and the wider school community from unnecessary harm. Clear consideration and planning for possibilities of harm are key in ensuring a greater sense of safety. Training and having clear planning around fire evacuation can significantly reduce the risk of harm or damage. First aid is a vital tool that helps ensure that whenever an accident occurs, it is immediately dealt with. The goal of first aid is to quickly respond to an accident and make sure that there are minimal injuries.

The head teacher must ensure they follow and adhere to the detail within ELC Health and Safety policy, in particular in relation to:

- Health and safety prevention
- emergency and planned evacuation procedures
- recording and reporting:
- relevant training requirements
- first aid requirements

The head of establishment must have procedures in place to ensure that:

- all visitors sign in and out of the building and receive a visitors badge
- all visitors know the fire evacuation procedures and are aware of any planned testing that may take place during their visit
- all staff understand their roles and responsibilities in keeping children, young people and themselves safe

## 9.7 Intimate Personal Care

Children and young people who need intimate personal care are entitled to high quality care and support tailored towards their particular needs and choices.

Schools must ensure that:

- they seek written permission from parents to provide intimate personal care and retain this information within individual pupil records;
- every child or young person who requires regular intimate personal care have a detailed care plan in place;
- where intimate personal care is required and a plan is not in place, they contact the parent to make them aware that their child has been supported in this way and discuss whether an ongoing care plan should be considered;
- for all intimate personal care, whether a care plan is in place or not records are kept;
- Any issues or concerns arise during the care process, are reported to a senior member of staff immediately.

## 9.8 Mental Health, Self-Harm and Suicide

Children and young people can experience a range of mental health issues that impact on the ability to keep them safe.

Schools should:

- prominently display and make reference to the mental health posters providing advice and details of how to access the Mental Health Information Point across the school so that children, young people and families know how to access support independently;
- record and note Wellbeing Concerns and share these as required with parents and partners agencies ;
- engage in the Child Planning Process and seek requests for support from other agencies as appropriate;
- seek support from the Mental Health Youth Worker linked to their school if they have concerns for a child or young person who is self-harming or is talking about suicide.

If the child or young person requires immediate support, there are a number of options:

- call 999 in an emergency
- contact parents and ask them to seek immediate support from their GP
- contact CAMHS for a Professional Consultation 12:30-13:30 daily on 07580 788090

Schools should seek support in accessing training, resources and advice regarding self-harm and suicide via the Mental Health and Wellbeing Team.

## 9.9 Missing During School Day

Recording of attendance should take place at least twice a day to enable the school to note attendance and absence for each morning and afternoon session.

Some secondary schools have opted for attendance monitoring to take place in every lesson. This can provide useful management information, helping schools to monitor and manage absences effectively.

Schools must ensure that:

- attendance and absence are recorded;
- information is used to inform immediate follow-up action which involves contacting the parents via Group Call in the first instance and their emergency contacts;
- if a child goes missing during a school day, daily absence protocol is followed in the first instance;
- if a child leaves school and staff fear they are at risk and cannot establish their whereabouts within a reasonable time frame, schools must contact the police;
- they consider the need for a risk assessment, a Child Planning Meeting and/or a Positive Support Plan if their absence likely to become a pattern of behaviour;
- they consider and assess individual vulnerabilities alongside additional risk factors such as Bullying, Care Experienced, LGBT, mental health, Child Sexual Exploitation, Child Criminal

Exploitation when completing the risk assessment or as part of the Child Planning Meeting in understanding why a pupil is missing during the school day.

## 9.10 Off Site Visits

Off site visits should be planned in accordance with the Scottish Framework for safe practice in off-site visits. This Framework provides details regarding remote supervision, ratios, dynamic risk assessment, PVG checks and additional advice regarding Safeguarding. Further information can be found here [East Lothian EduHub - Residential Visits \(google.com\)](#)

In line with the Scottish Framework for Safe Practice in Off-site Visits, the Head of Establishment alongside the visit leader should ensure:

- appropriate Child Protection procedures are in place and appropriate risk assessments, including first aid arrangements, have been completed and proportionate safety measures are in place;
- accompanying adults who volunteer to accompany offsite visits are deemed as carrying out regulated work (Chapter 2 of the Disclosure Scotland guidance) and are required to have PVG in place prior to the excursion;
- parents will be issued with 2 forms to complete prior to an educational excursion in order for schools to ensure they have access to all information in order to undertake our extended Safeguarding duties away from home - this information must be GDPR compliant in terms of securely storing this information;
- Administration of Medication Guidance and associated paperwork must be adhered to, which would include any contingency planning needed for emergency arrangements.

With regards to residential excursions, the Local authority will have in place terms and conditions explaining the responsibilities and obligations as part of the contract.

## 9.11 Photographs and Videos of Children and Young People

Schools must ensure permission is sought to ensure the safety and protection of all children and young people. This can be a vital part of keeping safe, particularly where non -disclosure of address or adoption is part of the context of the family.

Schools must ensure that:

- East Lothian consent form is issued to all parents of children under 12 years of age for written permission to use photos or video recordings of their child for the purpose of sharing, supporting and promoting their learning activities;
- when a child reaches age 12 or over they will be asked to sign their own consent form;
- the consent is renewed every 2 years.

## 9.12 Recording Bullying

The recording and monitoring of bullying or alleged incidents within an educational establishment is essential and can provide valuable information on the scope and scale of the issue. This process is vital to be able to guide improvements in policy and practice, and inform anti-bullying interventions.

All schools must ensure that:

- they use SEEMiS Click & Go - *Recording and Monitoring Bullying Incidents in Schools*, to record all incidents of pupil-to-pupil and pupil-to-adult incidents of bullying;
- they use SPHERA to record all incidents of adult-to-adult and adult-to-pupil;
- they record all alleged incidents which should be investigated and concluded, even if unfounded;
- they consider patterns of behaviour and if further intervention is required either for the perpetrator or victim through wellbeing assessment process, risk assessment , Positive Support Plan.

Further information can be found in our policy 'Respect for All – A Positive Approach to Preventing Bullying' (2022).

## 9.13 Storage and Procedures for Medicine in Schools

School staff have a legal duty to care for pupils, which means that they have an obligation to exercise a level of care towards an individual as is reasonable in all the circumstances, to avoid injury to that individual. This includes addressing healthcare needs. *The Handbook of Procedures for the Management of Pupils with Healthcare Needs in Educational Establishments* (December 2019) details the roles and responsibilities for staff with regards to healthcare needs.

Schools need to ensure:

- all medications are stored appropriately
- appropriate consent is sought and associated paperwork completed by parents and stored securely
- staff have access to relevant training and are able to refresh when needed to meet the needs of all children and young people
- the appropriate Health Plan is completed, reviewed and shared with appropriate staff

This guidance and accompanying appendices is updated regularly in conjunction with NHS Lothian. Therefore, schools should refer to the 'Guidance and Policies' section of *EduHub* to ensure they are using the most up-to-date information.

## 10. Safeguarding of Staff

It is important to be aware that staff can be vulnerable to allegations therefore imperative that all staff understand safe working practices for themselves when working in a school environment with children and young people.

Staff must at all times:

- be responsible for their own actions and behaviour and should avoid any conduct which could lead any reasonable person to question their motivation and intentions;
- work in an open and transparent way;
- be proactive in assessing risk and raising any concerns with their line manager;
- discuss and take advice promptly about any incident which may give rise to concern;
- record incidents of concern;
- undertake relevant training and ensure mandatory e-learning is up to date;
- be aware of East Lothian Council's policy and procedures.

If any allegation is made against a member of staff it is important for a quick and effective investigation is completed to protect the health and wellbeing of the employee as well as the child or young person.

## 10.1 Lone working / 1-1 working

Safety measures must be taken to reduce the risks to staff who engage in lone working or 1:1 working with children and young people to ensure they are able to undertake their duties safely.

It is the responsibility of Service Managers and Heads of Establishment to ensure:

- appropriate risk assessments are carried out taking into account the different levels of risk depending on circumstances, activities and environment of staff;
- that there is ongoing communication regarding changes that may affect the risk assessment or the mitigations needed to allow lone working or 1:1 working to be maintained safely;
- that they share information regarding the child or young person e.g. individual risk assessments, positive support plans or any changes to their circumstances such as youth offending that may require the risk assessment or lone working practices to be adapted.

It is the responsibility of the individual employee to:

- raise any concerns or any changes to their working practices or environment;
- to read and seek information that supports risk assessment planning for themselves and/or the children and young people they work with;
- highlight and discuss any changes to the young person circumstances, if proportionate and in line with GDPR and confidentiality.

## 11. PREVENT

Protecting children from the risk of radicalisation should be seen as part of wider safeguarding duties and is similar in nature to protecting children from other harms.

Staff should have a clear understanding of how the holding of views which endorse extremism can lead to safeguarding issues for the wellbeing of the individual young person.

Schools should be:

- proactive in tackling causes and have an early intervention and supportive approach;

- employ informal approaches and teaching moments should be proactive, as well as reactive, in addressing current trends or issues;
- provide a safe space for learners to explore, discuss and debate the range of social and political issues in our rapidly changing world;
- develop young people's skills to be able to engage as active citizens in a democratic society, developing critical thinking skills so that they become resilient to and equipped to challenge divisive viewpoints and hate speech;
- embed core themes of PREVENT within the curriculum: Social Studies, Health and Wellbeing, and Religious and Moral Education have particular roles to play in helping children and young people develop their understanding of the world by learning about other people, cultures, beliefs, attitudes and values;
- use learning and teaching methodologies that support collaborative learning and critical thinking, help to create supportive learning environments, and to address controversial issues effectively;
- challenge misinformed views and perceptions amongst learners and challenging commonly held myths, for example regarding particular communities, requires skilled practitioners who use techniques that open up discussion;
- model to learners how diverse views can be heard, analysed and challenged in a way which values dignity, freedom of speech, and freedom from harm.

It is the responsibility of Service Managers and Heads of Establishments to ensure that:

- all staff have completed the PREVENT learn pro module mandatory training as part of their PRD process and this is refresh this every 2 years or as directed by a change to policy or procedures;
- all staff have a good understanding of their duty with regard to PREVENT, and are aware of available programmes to deal with any individual who is vulnerable to being drawn into terrorism;
- staff are able to identify signs and vulnerabilities of children and young people who may be targeted ( e.g. socially isolated, changes in behaviour and beliefs, accessing content on line) to radicalisation, and know what to do when they are identified;
- all staff know how to access PREVENT national referral form found here [GIRFEC in East Lothian - Child Protection \(google.com\)](#) and communicate any concerns to their DMS;
- any concerns regarding individual children and young people are shared with PREVENT Single Point of Contact (SPOC).

## 12. Self- Evaluation

A key means of affirming we are meeting our duties and emphasising the importance of Child Protection and Safeguarding is through strong approaches to self-evaluation, in particular a clear focus on evaluation against Quality Indicator 2.1 of How Good Is Our School 4/How Good Is Our Early Learning and Childcare.

Q.I 2.1 will be a key feature of any planned school review processes to quality assure and support.

East Lothian's Establishment Safeguarding Checklist should be completed on an annual basis by all establishments and should be reviewed alongside the School Improvement Planning process. Schools should populate the template with information related to their own school context and improvement priorities, including identification of their Designated Senior Manager for Child Protection.

Child Protection Learn Pro scorecard information should be included as part of this annual return.

## Appendix 1: Local and National Policy and Guidance

### **National Child Protection Guidelines**

[Supporting documents - National guidance for child protection in Scotland 2021 - gov.scot](http://www.gov.scot/Supporting%20documents%20-%20National%20guidance%20for%20child%20protection%20in%20Scotland%202021)  
([www.gov.scot](http://www.gov.scot/))

### **Edinburgh and the Lothian's Child Protection Inter-agency Procedures**

[http://emppc.org.uk/file/Child\\_Protection/Inter-agency\\_Child\\_Protection\\_Procedures\\_-\\_Edinburgh\\_the\\_Lothians\\_Oct\\_2015.pdf](http://emppc.org.uk/file/Child_Protection/Inter-agency_Child_Protection_Procedures_-_Edinburgh_the_Lothians_Oct_2015.pdf)

[Introduction - Protecting Scotland's children and young people: it is still everyone's job - gov.scot](http://www.gov.scot/Introduction%20-%20Protecting%20Scotland's%20children%20and%20young%20people%3A%20it%20is%20still%20everyone's%20job)  
([www.gov.scot](http://www.gov.scot/))

### **Public Protection in East Lothian and Midlothian – Supporting Safe Communities.**

Range of links to information including:

- Children & families affected by parental problem alcohol and drug use [capsm-guidelines](http://www.edinburgh.gov.uk/capsm-guidelines) ([edinburgh.gov.uk](http://www.edinburgh.gov.uk/))
  - Under age sexual activity [ELBEG - Under-age sexual activity inter-agency guidance - 2011.pdf](http://emppc.org.uk/ELBEG_-_Under-age_sexual_activity_inter-agency_guidance_-_2011.pdf) ([emppc.org.uk](http://emppc.org.uk/))
  - Guidance on Child Sexual Exploitation [EMPPC - Inter-agency Guidance on Child Sexual Exploitation - 23-03-16 v1.pdf](http://emppc.org.uk/EMPPC_-_Inter-agency_Guidance_on_Child_Sexual_Exploitation_-_23-03-16_v1.pdf)
  - [Protecting Scotland's Children and young people; Its is still Everyone's job](http://www.edinburgh.gov.uk/protecting-scotland-s-children-and-young-people-its-is-still-everyones-job)
1. [EMPPC - Inter-agency Vulnerable Young Persons Protocol - 2-08-18 v2.2.pdf](http://emppc.org.uk/EMPPC_-_Inter-agency_Vulnerable_Young_Persons_Protocol_-_2-08-18_v2.2.pdf)

### **The SSSC code of Practice- Support the Safeguarding of children**

<http://learn.sssc.uk.com/nos/units/CCLD/CCLD2/SCDCCLD0202.pdf>

### **Education Scotland, How Good is Our Early Learning and Child Care**

[https://education.gov.scot/improvement/Documents/Frameworks\\_SelfEvaluation/FRWK1\\_NIHeditSelf-evaluationHGIELC/HGIOELC020316Revised.pdf](https://education.gov.scot/improvement/Documents/Frameworks_SelfEvaluation/FRWK1_NIHeditSelf-evaluationHGIELC/HGIOELC020316Revised.pdf)

### **Education Scotland, How Good is Our School, Q.I. 2.1**

[https://education.gov.scot/improvement/Documents/Frameworks\\_SelfEvaluation/FRWK2\\_NIHeditHGIOS/FRWK2\\_HGIOS4.pdf](https://education.gov.scot/improvement/Documents/Frameworks_SelfEvaluation/FRWK2_NIHeditHGIOS/FRWK2_HGIOS4.pdf)

### **Children & Young People (Scotland) Act 2014/Getting It Right for Every Child**

<http://www.gov.scot/Topics/People/Young-People/gettingitright>

**United Nations Rights of Persons with Disabilities**

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

**Advice on Female Genital Mutilation**

[Edinburgh and Lothians Inter-agency FGM procedures - 21-06-17.pdf \(emppc.org.uk\)](#)

**Parents and Schools Working Together**

[https://www.eastlothian.gov.uk/downloads/file/23219/parental\\_engagement\\_strategy\\_-\\_full\\_document](https://www.eastlothian.gov.uk/downloads/file/23219/parental_engagement_strategy_-_full_document)

**General Teaching Council Scotland (GTCS) Code of Professionalism for Teachers**

[standard-for-full-registration.pdf \(gtcs.org.uk\)](standard-for-full-registration.pdf)

**Scottish Social Services Council (SSSC) Code of Practice for social service workforce (including early years' workforce)**

<http://www.sssc.uk.com/>

**East Lothian Child Planning Framework Guidelines - available on East Lothian server - Education Exchange**

**Respect for All – Anti-bullying Policy – available on East Lothian server - Education Exchange**

Health and Social Care Standards (2017) [Foreword - Health and Social Care Standards: my support, my life - gov.scot \(www.gov.scot\)](#)

## Appendix: 2 Useful East Lothian Contact Numbers

Social Work Duty Officer	01875 824309 (Mon – Thurs 9-5; Fri 9-4)
Out of hours Social Work	0800 731 6969
Public Protection Office	0131 653 5150
Police Scotland Child Protection	0131 561 6126
NHS Child Protection	0131 446 4123
Education (John Muir House)	01620 827827



## Appendix 3 Establishment Safeguarding Checklist

Checklist adapted from HGISELC and HGIOS 4, 2.1 Safeguarding and Protection. This is available separately in Word format for establishments to download and complete.

	<b>Features of Good Practice (from <i>How Good is Our School 4, 2.1</i>)</b>	<b>Yes</b>	<b>No</b>	<b>In progress</b>	<b>How do we know? What impact does this have?</b>
1	Senior leaders responsible for Safeguarding are clear about the expectations of role, and provide good support and direction to staff				
2	Arrangements are in place to ensure that all staff (including volunteers and partners) are aware of their responsibilities in relation to child protection and equality policies and procedures				
3	Staff are kept up to date with Safeguarding practice including e.g. e-safety, extremism, child sexual exploitation and female genital mutilation				
4	Our leadership is good in ensuring everyone is current in their knowledge and can apply it if necessary				
5	As a school, Safeguarding is a key thread in our self-evaluation				
6	Our Safeguarding arrangements are regularly reviewed and updated as part of our self-evaluation processes				
7	Approaches to child protection and Safeguarding are known and understood by all across the school community				
8	We have systems to record, monitor concerns raised, initial referral discussions, child protection planning meetings and child protection registrations				
9	We are effective in the recording and planning processes in delivering positive outcomes for children and young people where there are child protection or Safeguarding concerns				
10	All child protection records are stored safely and securely (as per East Lothian Guidance) ensuring sensitive information is only accessible to relevant staff				
11	Children and young people feel able to make a complaint against school practice and procedures, and are				

	confident their views will be taken seriously and acted upon				
12	Our curriculum effectively promotes Safeguarding and wellbeing, taking account of the context of our school				
13	All staff take account of the views and experiences of children and young people particularly where decisions are to be made that may impact on life choices				
14	Our school promotes an ethos and culture of positive engagement and participation with its pupils and parents				
15	Our children and young people are well protected following a Safeguarding or child protection concern				
16	We act on incidents related to equalities to prevent future occurrences				

## Appendix 4: Child Protection and Safeguarding Quick Checks

### All visitors, students or volunteers to school

- √ I was asked to sign in
- √ I was given a visitors badge
- √ I am aware of the fire procedures
- √ I have found the Child Protection Poster and know who the Designated member of staff is
- √ I know that if I have concerns about a child's wellbeing, or a child is considered to be at risk of significant harm, relevant information **must** always be shared without delay
- √ I know which question to ask
- √ I know how to record a disclosure
- √ I know who to pass my concerns onto
- √ I know who to speak to if the disclosure affects me

### New member of staff

- √ I have signed acceptable user IT policy
- √ I have my log in in order to access Learnpro and have ensured my account is accurate
- √ I have completed my mandatory modules, starting with Child Protection
- √ I know my role in terms of ELC whistle blowing policy
- √ I have been made aware of any risk assessment and positive support plans that are relevant
- √ I have discussed and am aware of safe working practices related to my role