

YSGOL RHIWABON

SAFEGUARDING POLICY

This policy was adopted/updated by the Governing Body on:

Signed: _____ Chair of Governors

Date: _____

The policy will be reviewed: Spring Term 2016

Introduction

We acknowledge the original information provided by Wrexham County Council and the Welsh Assembly Government which contributed to the development of this policy. It is in line with the Wrexham County Council Child Protection Procedures.

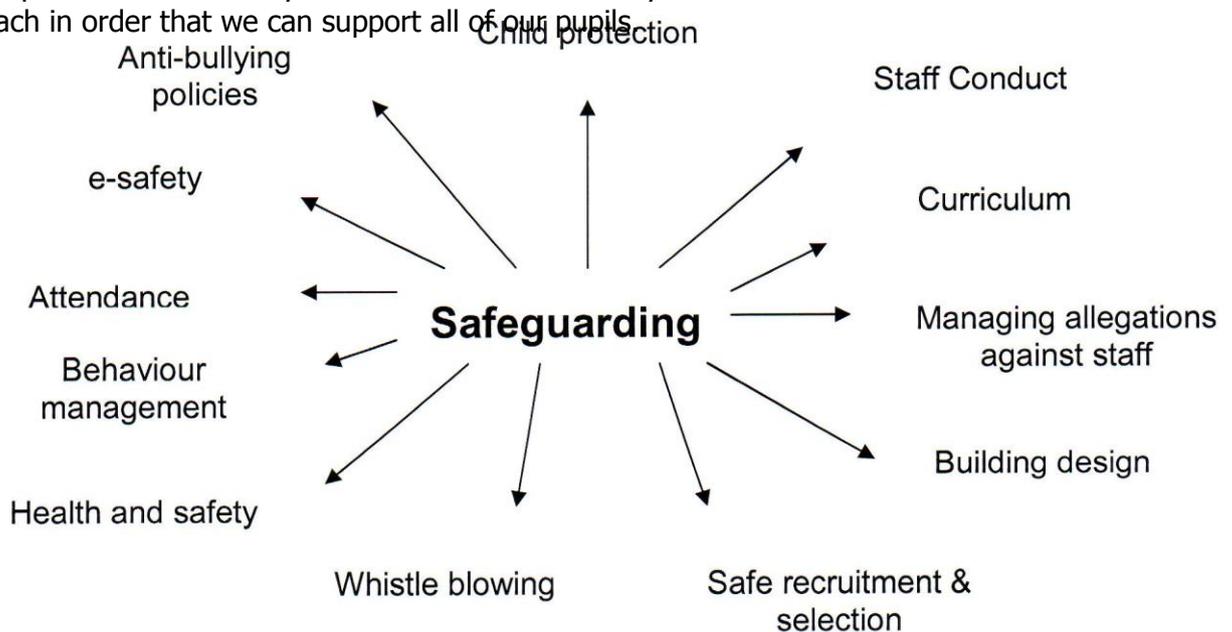
This policy applies to all adults, including volunteers, working in or on behalf of the school.

'Everyone working in or for our school service shares an objective to help keep children and young people safe by contributing to:

- providing a safe environment for children and young people to learn and develop in our school setting, and
- identifying children and young people who are suffering or likely to suffer significant harm, and taking appropriate action with the aim of making sure they are kept safe both at home and in our school setting'

School Commitment

Ysgol Rhiwabon is committed to Safeguarding and Promoting the Welfare of all of its pupils. Each pupil's welfare is of paramount importance. We recognise that some children *may* be especially vulnerable to abuse. We recognise that children who are abused or neglected may find it difficult to develop a sense of self worth and to view the world in a positive way. Whilst at school, their behaviour may be challenging. We recognise that some children who have experienced abuse may harm others. We will always take a considered and sensitive approach in order that we can support all of our pupils



Providing a Safe and Supportive Environment

1. Safer Recruitment and Selection

The school complies with current WAG guidance 'Safeguarding Children and Safer Recruitment in Education' Jan 2007 in partnership with Wrexham Local Authority. We ensure that all appropriate measures are applied in relation to everyone who works in the school who is likely to be perceived by the children as a safe and trustworthy adult including e.g. volunteers and staff employed by contractors. Safer recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining professional references, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews and checking the Children's List and Criminal Records Bureau checks.

In line with statutory changes, underpinned by regulations, the following will apply:

- a CRB Enhanced Disclosure is obtained for **all** new appointments to our school's workforce through staffing personnel and payroll, from October 2009 it is a criminal offence for employers to take on an individual in Independent Safeguarding Authority regulated activity whom they know to have been barred and/or not refer to the ISA details of anyone who is permanently removed from regulated activity or who leaves while under investigation for allegedly causing harm or posing a risk of harm
- this school is committed to keep an up to date single central record detailing a range of checks carried out on our staff – a copy is also held at the Personnel and Payroll Unit, Wrexham County Council
- all new appointments to our school workforce who have lived outside the UK will be subject to additional checks as appropriate
- our school ensures that supply staff have undergone the necessary checks and will be made aware of this policy
- identity checks must be carried out on all appointments to our school workforce before the appointment is made, in partnership with the LA

Headteacher and Governors will have the opportunity to undertake Wrexham County Council's Safer Recruitment in Education Training. One person so trained will be involved in all staff and volunteer appointments and arrangements (including, where appropriate, contracted services).

2. Safe Practice

- Our school will comply with the current Safe Practice guidance to be found in Wrexham County Safeguarding Procedures.
- Safe working practice ensures that pupils are safe and that all 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;
- work in an open and transparent way;
- work with other colleagues where possible in situations open to question
- discuss and/or take advice from school management over any incident which may give rise to concern;
- record any incidents or decisions made;
- apply the same professional standards regardless of gender or sexuality;
- be aware of confidentiality policy
- are aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

3. Safeguarding Information for pupils

All pupils in our school are aware of members of staff who they can talk to. The school is committed to ensuring that pupils are aware of behaviour towards them that is not acceptable and how they can keep themselves safe. All pupils should know that we have a senior member of staff, Mr Huw Phillips (Assistant Headteacher) with responsibility for child protection. (Mr Harding deputises if Mr Phillips is off site). We inform pupils of whom they might talk to, both in and out of school, their right to be listened to and heard and what steps can be taken to protect them from harm. PSHE materials we use help pupils learn how to keep safe. In addition we make use of external support services including NSPCC, Childline and the Police

Our school will ensure that pupils are made aware that information can be found at NSPCC and Childline.

School's arrangements for consulting with and listening to pupils are through class teachers, Teaching Assistants and SAP Trained councillors.

We make pupils aware of these arrangements by class based activities, collective worship and external support agencies.

4. Partnership with Parents

The school shares a purpose with parents to educate and keep children safe from harm and to have their welfare promoted.

We are committed to working with parents positively, openly and honestly. We ensure that all parents are treated with respect, dignity and courtesy. We respect parents' rights to privacy and confidentiality and will not share sensitive information unless we have permission or it is necessary to do so in order to protect a child.

School will share with parents any concerns we may have about their child unless to do so may place a child at risk of harm.

We encourage parents to discuss any concerns they may have with their child. We make parents aware of our policy and parents are made aware that they can view this policy on request or on the school website.

5. Partnerships with others

Our school recognises that it is essential to establish positive and effective working relationships with other agencies who are partners with Ysgol Rhiwabon, eg. Wrexham Local Authority (eg. Children & Young Peoples' Department, Social Services, Police, Health, District Council, Childline in Partnership with schools, NSPCC, TAC, Attendance Officer etc.) There is a joint responsibility on all these agencies to share information to ensure the safeguarding of all children.

6. School Training and Staff Induction

The school's co-ordinator for child protection is:

- Mr Huw Phillips, Assistant Headteacher who has undertaken the basic and advanced child protection training and training in inter-agency working, (provided by Wrexham County Council) and refresher training in regular intervals.
- The child's protection governor is Mrs Anne Swarbrick.
- The Chair of Governors is also aware of the procedures should Mrs Swarbrick not be available.

- The Headteacher deputises if Mr Phillips is off site and has also undergone the basic and advanced child protection training.
- All other school staff, including non teaching staff, undertake appropriate induction training to equip them to carry out their responsibilities for child protection effectively, which is kept up to date by refresher training at 3 yearly intervals.
- New members of staff are made aware of our school policy and are trained as soon as can be arranged.

All staff (including temporary staff and volunteers) are provided with the school's child protection policy and informed of school's child protection arrangements on induction.

7. Support, Advice and Guidance for Staff

Staff will be supported by the Headteacher as well as professional associations.

The Child Protection Co-ordinator will be supported by the Senior Educational Social Worker. Advice is available from Wrexham County Duty & Assessment Team CP Unit and the Police Child Abuse Investigation Team as well as from the Safeguarding Officer for Schools.

8. Related School Support

Safeguarding covers more than the contribution made to child protection in relation to individual children. It also encompasses issues such as pupil health and safety and bullying and a range of other issues, for example, arrangements for meeting the medical needs of children, providing first aid, school security, drugs and substance misuse, positive behaviour etc. There may also be other safeguarding issues that are specific to the local area or population. These may include anti social behaviour, fire safety, kerb craft and cycling proficiency

Other related school arrangements e.g. confidentiality, admissions, exclusions, work experience, drugs and substances, anti-bullying are included in the staff handbook.

Confidentiality

School has regard to "Information Sharing: Practitioner's guide" HM Government, 2006
www.ecm.gov.uk/deliveringservices/informationsharing

"Where there is a concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration. "

The School should have a clear and explicit confidentiality policy.

The school policy should indicate:

- When information must be shared with police and Social Care where the child/young person is/may be at risk of significant harm
- When the pupil's and/or parent's confidentiality must not be breached
- That information is shared on a need to know basis

9. Pupil Information

Our school will endeavour to keep up to date and accurate information in order to keep children safe and provide appropriate care for them the school requires accurate and up to date information regarding:

- names and contact details of persons with whom the child normally lives

- names and contact details of all persons with parental responsibility (if different from above)
- emergency contact details (if different from above)
- any relevant court orders in place including those which affect any person's access to the child (e.g. Residence Order, Contact Order, Care Order, Injunctions etc.)
- If the child is or has been on the Child Protection Register or subject to a care plan
- name and contact detail of G.P.
- any other factors which may impact on the safety and welfare of the child

The school will collate, store and agree access to this information which will be stored on the administration computer system.

10. Roles and Responsibilities

Our Governing Body will ensure that:

- the school has a child protection policy and procedures in place that are in accordance with local authority guidance and locally agreed inter-agency procedures, and the policy is made available to parents on request;
- the school operates safe recruitment procedures and makes sure that appropriate checks are carried out on staff and volunteers who work with children; e.g. references are required.
- the school has procedures for dealing with allegations of abuse against staff and volunteers that comply with guidance from the local authority and locally agreed inter-agency procedures;
- a senior member of the school's leadership team is designated to take lead responsibility for child protection issues, providing advice and support to other staff, liaising with the local authority and working with other agencies;
- staff including the Headteacher undertake appropriate child protection training which is updated on a regular basis;
- they remedy, without delay, any deficiencies or weaknesses regarding child protection arrangements;
- a governor is nominated to be responsible for liaising with the LA and/or partner agencies in the event of allegations of abuse being made against the headteacher;
- where services or activities are provided on the school premises by another body, the body concerned has appropriate policies and procedures in place in regard to safeguarding children and child protection and liaises with the school on these matters where appropriate;
- they review their policies and procedures annually and provide information to the LA about them and about how the above duties have been discharged;

The Headteacher will ensure that:

- the policies and procedures adopted by the Governing Body are fully implemented, and followed by all staff;
- sufficient resources and time are allocated to enable the designated person and other staff to discharge their responsibilities including taking part in strategy discussions and other inter-agency meetings and contributing to the assessments of children.
- all staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle blowing policies.

Senior Member of Staff with Designated Responsibility for Child Protection will:

Referrals

- refer cases of suspected abuse or allegations to the relevant investigating agencies and liaise with other agencies

- act as a source of support , advice and expertise within the educational establishment;
- liaise with the responsible Governor to inform him/her of any issues and ongoing investigations and ensure there is always cover for this role.

Training

- recognise how to identify signs of abuse and when it is appropriate to make a referral;
- have a working knowledge of how Wrexham County Council operate, the conduct of a child's protection case conference and be able to attend and contribute to these and ongoing child's protection plans;
- ensure that all staff have access to and understand the school's child protection policy;
- ensure that all staff have safeguarding training as part of their induction;
- keep detailed accurate secure written records of referrals; discussions with other agencies and/or concerns
- obtain access to resources and attend any relevant or refresher training courses at least every two years.

Raising Awareness

- ensure the child protection policy is updated and reviewed annually and work with the Governing Body regarding this;
- ensure parents are made aware of the child protection policy which alerts them to the fact that referrals may be made and the role of the establishment in this to avoid conflict later;
- where a child leaves the school, ensure the child protection file is copied for the new school as soon as possible and transferred to the new school separately from the main pupil file. If a child goes missing or leaves to be educated at home, then the child protection file should be copied and the copy forwarded to the Education Social Work Service.
- where the parents inform school that they wish to 'home educate' their child, the ESW Service endeavours to undertake a home visit to discuss this with the parents

All staff and volunteers will:

- fully comply with the school's policies and procedures
- attend appropriate training
- inform the designated person of any concerns

Identifying Children And Young People Who May Be Suffering Significant Harm

Teachers and other adults in school are well placed to observe any physical, emotional or behavioural signs which indicate that a child may be suffering significant harm. The relationships between staff, pupils, parents and the public which foster respect, confidence and trust can lead to disclosures of abuse, and/or school staff being alerted to concerns.

Definitions

As in the Children Acts 1989 and 2004, a **child** is anyone who has not yet reached his/her 18th birthday.

Harm means ill-treatment or impairment of health and development, including, for example, impairment suffered from seeing or hearing the ill-treatment of another; **Development** means physical, intellectual, emotional, social or behavioural development; **Health** includes physical and mental health; **Ill-treatment** includes sexual abuse and other forms of ill-treatment which are not physical.

Abuse and Neglect are forms of maltreatment. Somebody may abuse or neglect a child by inflicting harm or failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them, or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

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

Sexual Abuse Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact or may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

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

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food and clothing, shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision;
- ensure access to appropriate medical care or treatment;
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs;

Taking Action To Ensure That Children Are Safe At School And At Home

All staff follows Wrexham County Council Child Protection Procedures which are consistent with 'Working Together to Safeguard Children 2010' and 'What to do if you are worried a child is being abused'

It is **not** the responsibility of the school staff to investigate welfare concerns or determine the truth of any disclosure or allegation. All staff, however, have a duty to recognise concerns and maintain an open mind. Accordingly all concerns regarding the welfare of pupils will be recorded and discussed with the designated senior person with responsibility for child protection (or another senior member of staff in the absence of the designated person) prior to any discussion with parents.

1. Staff must immediately report:

- any suspicion that a child is injured, marked, or bruised in a way which is not readily attributable to the normal knocks or scrapes received in play;
- any explanation given which appears inconsistent or suspicious;
- any behaviours which give rise to suspicions that a child may have suffered harm (e.g. worrying drawings or play);
- any concerns that a child may be suffering from inadequate care, ill treatment, or emotional maltreatment;
- any concerns that a child is presenting signs or symptoms of abuse or neglect;
- any significant changes in a child's presentation, including non-attendance;
- any hint or disclosure of abuse from any person;
- any concerns regarding person(s) who may pose a risk to children (e.g. living in a household with children present).

2. Responding to Disclosure

Disclosures or information may be received from pupils, parents or other members of the public. School recognises that those who disclose such information may do so with difficulty, having chosen carefully to whom they will speak. Accordingly all staff will handle disclosures with sensitivity.

Such information cannot remain confidential and staff will immediately communicate what they have been told to the designated person and make a record of the incident or declaration.

Principles

Staff will not investigate but will, wherever possible, elicit enough information to pass on to the designated person in order that he can make an informed decision of what to do next.

Staff will:

- listen to and take seriously any disclosure or information that a child may be at risk of harm;
- try to ensure that the person disclosing does not have to speak to another member of school staff;
- clarify the information;
- try to keep questions to a minimum and of an 'open' nature e.g. 'Can you tell me what happened?' rather than 'Did x hit you?';
- try not to show signs of shock, horror or surprise;
- not express feelings or judgements regarding any person alleged to have harmed the child;
- explain sensitively to the person that they have a responsibility to refer the information to the senior designated person;
- reassure and support the person as far as possible;
- explain that only those who 'need to know' will be told;
- explain what will happen next and that the person will be involved as appropriate.

**3. Action by the Designated Senior Person i.e . Mr Huw Phillips, Child Protection Officer,
Assistant Headteacher (or other senior person in their absence Mr Alun Harding,
Headteacher)**

Duty Desk Telephone: 01978 298940 Fax: 01978 298703

Following any information raising concern, the designated senior person will consider:

- any urgent medical needs of the child;
- discussing the matter with other agencies involved with the family;
- consulting with appropriate persons e.g. Safeguarding Officer and/or Social Care;
- the child's wishes.

Then decide:

- wherever possible, to talk to parents, unless to do so may place a child at risk of significant harm, impede any police investigation and/or place the member of staff or others at risk;
- whether to make a child protection referral to social care because a child is suffering or is likely to suffer significant harm and if this needs to be undertaken immediately.

OR

- if it would be appropriate to undertake an assessment (e.g. CAF) and/or make a referral for other services.

All information and actions taken, including the reasons for any decisions made, will be fully documented. All referrals to social care will be followed up in writing within 24 hours using a standard referral form.

4. Action following a child protection referral

The designated senior person or other appropriate member of staff will:

- make regular contact with the Social Worker involved to stay informed;
- wherever possible, contribute to the Strategy Discussion;
- provide a report for, attend and contribute to any subsequent Child Protection Conference;
- if the child or children are made the subject of a Child Protection Plan, contribute to the Child Protection Plan and attend Core Group Meetings and Review Conferences;
- where possible, share all reports with parents prior to meetings.

Where in disagreement with a decision made by social care e.g. not to apply Child Protection Procedures or not to convene a Child Protection Conference, follow the guidance in Wrexham County Council procedures 8.2 Resolving Professional Disagreements

- where a child on the child subject to a child protection plan moves from the school or goes missing, immediately inform the key worker in Social Care.

5. Recording and monitoring

Accurate records will be made as soon as practicable and will clearly distinguish between observation, fact, opinion and hypothesis. All records will be signed and dated, any information given will be recorded verbatim where possible and a note made of the location and description of any injuries seen.

All C.P. documents will be retained in a 'Child Protection' file, separate from the child's main file. This will be locked away and only accessible to the Headteacher and designated senior person. These records will be copied and transferred to any school or setting the child moves to, clearly marked 'Child Protection, Confidential, for attention of Designated Person Child Protection.' If the child goes missing from education or is removed from roll to be educated at home then any Child Protection file should be copied and the copy sent to the Education Social Work Service. Original copies will be retained until the child's 25th birthday.

6. Supporting the Child and Partnership with Parents

- School recognises that the child's welfare is paramount, however good child protection practice and outcome relies on a positive, open and honest working partnership with parents.
- Whilst we may, on occasion, need to make referrals without consultation with parents, we will make every effort to maintain a positive working relationship with them whilst fulfilling our duties to protect any child.
- We will provide a secure, caring, supportive and protective relationship for the child.
- Children will be given a proper explanation (appropriate to age & understanding) of what action is being taken on their behalf and why.
- We will endeavour always to preserve the privacy, dignity and right to confidentiality of the child and parents. The Designated Senior Person will determine which members of staff "need to know" personal information and what they "need to know" for the purpose of supporting and protecting the child.

Allegations regarding person(s) working in or on behalf of school (including volunteers)

Where an allegation is made against any person working in or on behalf of the school, that he or she has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child or
- Has behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

We will apply the same principles as in the rest of this document and we will always follow Wrexham County Council procedures. Detailed records will be made to include decisions, actions taken, and reasons for these. All records will be retained securely.

Whilst we acknowledge such allegations, (as all others), may be false, malicious or misplaced, we also acknowledge they may be founded. It is, therefore, essential that all allegations are investigated properly and in line with agreed procedures.

Initial Action

- The person who has received an allegation or witnessed an event will immediately inform the Headteacher and make a record.
- In the event that an allegation is made against the Headteacher the matter will be reported to the Chair of Governors who will proceed as the 'Headteacher'.
- The Headteacher will take steps, where necessary, to secure the immediate safety of children and any urgent medical needs.
- The member of staff will not be approached at this stage unless it is necessary to address the immediate safety of children.
- The Headteacher may need to clarify any information regarding the allegation, however no person will be interviewed at this stage.
- The Headteacher will consult with the Local Authority Designated Officer in order to determine if it is appropriate for the allegation to be dealt with by school or if there needs to be a referral to social care and/or the police for investigation.

Consideration will be given throughout to the support and information needs of pupils, parents and staff. The Headteacher will inform the Chair of Governors of any allegation.



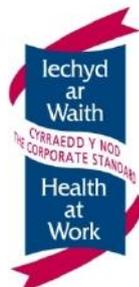
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a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate
for Education and Training in Wales

Supplementary guidance for inspecting safeguarding in schools and PRUs

Summer 2012



The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:

- nursery schools and settings that are maintained by, or receive funding from, local authorities;
- primary schools;
- secondary schools;
- special schools;
- pupil referral units;
- independent schools;
- further education;
- adult community learning;
- local authority education services for children and young people;
- teacher education and training;
- work-based learning;
- careers companies; and offender learning.

Estyn also:

- provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others; and
- makes public good practice based on inspection evidence.

Every possible care has been taken to ensure that the information in this document is accurate at the time of going to press. Any enquiries or comments regarding this document/publication should be addressed to:

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CF24 5JW or by email to publications@estyn.gov.uk

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What is the purpose?

This provides further guidance for inspectors to use for reference during inspection alongside the sector guidance for inspection, to support specific lines of enquiry.

For whom is it intended?

For all inspectors of schools and Pupil Referral Units

From when should the guidance be used?

Autumn 2012

Date of publication: 25 June 2012

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Introduction

This supplementary guidance aims to support inspectors as necessary in evaluating schools' safeguarding arrangements when carrying out inspections. It should be used for reference during inspection alongside Estyn's published policy and procedures'.

This guidance does not deal with how inspectors should deal with allegations about safeguarding received during inspection. Inspectors must be familiar with Estyn's Policy and Procedures for Safeguarding which covers children, young people and vulnerable adults. All inspectors should be aware of what to do in the event of receiving allegations about safeguarding and actions are outlined in this document. You can find a copy of the document on Estyn's website at <http://www.estyn.gov.uk/download/publication/190608.6/estyn-policy-and-procedures-for-safeguarding-2011/>

It is also essential that inspectors take account of Welsh Government Circular 5/2008 'Safeguarding Children in Education'. In addition, inspectors of independent schools also need to take account of the Independent School Standards (Wales) Regulations 2003.

The proposals in the Protection of Freedoms Bill currently progressing through Parliament, will eventually affect some of the government requirements referred to in this guidance. Further guidance will be issued once the changes are confirmed, covering in particular the nature of pre-recruitment checks that schools will be required to make in future, as well as setting out the conditions where CRB disclosure certificates will no longer be applicable.

Key telephone numbers

Inspectors should contact the relevant sector lead or Assistant Director with queries about evaluating schools' safeguarding arrangements.

In the event of concerns or queries in relation to receiving allegations about safeguarding the following telephone numbers are available:

Estyn's lead officer for safeguarding: 02920 446482 (also available out of office hours)

Estyn's deputy officer for safeguarding: 02920 446484 (also available out of office hours)

Estyn's main office (during office hours): 02920 446446

Definition of safeguarding

All schools, including independent schools, have a statutory duty to exercise their functions with a view to safeguarding and promoting the welfare of their learners.

Safeguarding and promoting the welfare of children is concerned with:

- protecting children from abuse and neglect;
- preventing impairment of their health or development; and
- ensuring that they receive safe and effective care;

so as to enable them to have optimum life chances.

Everyone who works in education shares an objective to help keep children and young people safe by contributing to:

- creating and maintaining a safe learning environment for children and young people;
- identifying where there are child welfare concerns and taking action to address these, where appropriate, in partnership with other agencies; and
- the development of children's understanding, awareness, and resilience through the curriculum.

Achieving this objective requires systems designed to:

- prevent unsuitable people from working with children and young people;
- promote safe practice and challenge poor and unsafe practice;
- identify instances in which there are grounds for concern about a child's welfare, and initiate or take appropriate action to keep them safe; and
- contribute to effective partnership working between all those involved with providing services for children and young people.

Child protection is a part of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific children who are suffering or are at risk of suffering significant harm as a result of abuse or neglect.

Safeguarding covers more than the contribution made to child protection in relation to individual children. It also encompasses issues such as **pupil health and safety and bullying**, about which there are specific statutory requirements, and a range of other issues, for example, arrangements for **meeting the needs of children with medical conditions, sex and relationships education**, and **drugs and substance misuse**, about which the Welsh Government has issued guidance. There may also be other safeguarding issues that are specific to the local area or population.

Where there are statutory requirements, schools should already have in place policies and procedures that satisfy those and comply with any guidance issued by the Welsh Government. Similarly, arrangements about matters on which the Welsh Government has issued guidance should be evidenced by policies and procedures that are in accordance with that guidance or achieve the same effect.

Estyn's Common Inspection Framework

Estyn's Common Inspection Framework places high priority on safeguarding and promoting the welfare of learners, and it will always be a line of inquiry.

Reporting on safeguarding

Key Question 1 is concerned with outcomes and it is in two parts. The first is about the standards that pupils achieve. The second part is about wellbeing and includes:

- 1.2.1 attitudes to keeping healthy and safe;
- 1.2.2 participation and enjoyment in learning, including behaviour and attendance;
- 1.2.3 community involvement and decision making; and
- 1.2.4 social and life skills.

It is here that inspectors will evaluate and report on the impact of the school's provision for safeguarding and promoting the welfare of pupils.

Most of the comments on the school's provision for safeguarding and promoting welfare will be in Key Question 2, which is about provision, especially in the section of this key question about care, support and guidance (2.3). The care, support and guidance section contains:

- 2.3.1 provision for health and wellbeing, including spiritual, moral, social and cultural development;
- 2.3.2 specialist services, information and guidance;
- 2.3.3 safeguarding arrangements; and
- 2.3.4 additional learning needs.

The aspects of safeguarding and promoting the welfare of pupils that can be found in **2.3.1 provision for health and wellbeing, including spiritual, moral, social and cultural development** include:

- child protection;
- health and safety;
- bullying;
- harassment and discrimination;
- racist abuse;
- drug and substance abuse;
- pupils with medical conditions;
- sex and relationships education;
- first aid;
- safety on educational visits; internet safety;
- welfare of pupils on extended vocational placements;
- issues specific to a local area;
- school security; and
- the management of pupil discipline including physical intervention and restraint.

Section 2.3.3 **safeguarding arrangements** concentrates on the effectiveness of the school's policies and procedures for safeguarding. It includes the consideration of the school's policy and procedures for child protection.

The needs of pupils with medical conditions will be included in section 2.3.4 **additional learning needs**.

Key Question 3 is about leadership and management. This includes:

- strategic direction and the impact of leadership; and
- governors or other supervisory boards.

A school's leaders and managers should be clear about their statutory responsibilities regarding safeguarding and the steps they are taking to develop good practice beyond the statutory minimum. The governing body is accountable for ensuring that the school has effective policies and procedures in place in accordance with the Welsh Government's guidance, and is monitoring the school's compliance with this. It is the governing body's responsibility to ensure that safe recruitment checks are carried out in line with statutory requirements. There is further information on this in Annexes 1 and 2.

If the school does not have effective policies and procedures for safeguarding and promoting the welfare of pupils, this will influence judgements made about the quality of leadership and management in the school.

Education with boarding or residential provision

Where education has boarding provision or is linked to a residential setting, Estyn inspectors must liaise with Care and Social Services Inspectorate Wales (CSSIW) to ensure that the provision contributes to boarders' or residents' needs in relation to their safety.

Guidance for inspectors in judging the effectiveness of safeguarding

Pre-inspection evidence

Inspectors will use a wide range of evidence. Before the inspection, in relation to safeguarding and promoting welfare, the lead inspector will consider:

- the school's self-evaluation report, especially the sections on 1.2 and 2.3;
- the Self-evaluation Form for Safeguarding and Child Protection completed by the school;
- the local authority report on the school;
- the previous inspection report;
- data on aspects of behaviour such as exclusions;
- the school's policies for safeguarding and promoting welfare, including the child protection policy;

- responses to the pupils' questionnaires, in particular the responses to questions about feeling safe, bullying, having someone to talk to if worried, keeping healthy and taking regular exercise;
- responses to the parents' questionnaires, especially the questions about encouragement to be healthy and take exercise, being safe and receiving the additional support for any particular needs;
- written information from parents or other partners; and
- any complaints Estyn may have received.

Inspectors should take particular account of the school's context, including information on the:

- the number of children on the child protection register;
- the number of refugees or asylum seekers;
- the number of looked after children; and
- exclusions and transfers of pupils.

Planning the inspection

Responsibility for inspecting safeguarding can be allocated to any team member, including the peer inspector and lay inspector. It may be that different inspectors are responsible for different aspects of safeguarding and promoting welfare as they occur in more than one quality indicator, for example in 1.2 and 2.3 as well as in aspects of leadership and management in Key Question 3. As in all inspections, the reporting inspector takes on overall responsibility for the conduct of the inspection and needs to monitor the work of the inspector(s) taking the lead on issues concerned with safeguarding and promoting the welfare of learners, particularly those about child protection.

Safeguarding will always be a line of inquiry. The reporting inspector will need to consider how effectively the school has evaluated safeguarding and promoting welfare in their self-evaluation report. In the light of this evaluation, and any emerging lines of enquiry, the reporting inspector will need to allocate time to gather enough evidence to support the team's judgements. They may include questions specific to safeguarding and promoting welfare at meetings with:

- the headteacher or principal;
- representative(s) of the governing body;
- staff;
- parents; and
- pupils.

Inspectors may also arrange to meet with the designated person with responsibility for child protection if not the headteacher or principal.

Inspection activity

Inspection activity may include:

- scrutiny of policies and procedures, in particular the policies for child protection, health and safety, bullying and risk assessment on school trips;
- scrutiny of evidence listed in the Self-evaluation Form for Safeguarding and Child Protection completed by the school;
- checking procedures for safe recruitment of staff, including records of CRB and ISA checks;
- checking child protection training records;
- interviewing the designated person with responsibility for child protection;
- considering the school's procedures to ensure the security of the site and buildings; and
- asking pupils in listening to learners session, in lessons and around the school about whether pupils feel safe and free from bullying.

It is important for inspectors to establish if **all** staff are aware of the school's policies and procedures, for example by asking staff on duty at break times about the school's child protection procedures.

All schools will complete a self-evaluation form in relation to safeguarding and child protection prior to inspection. This form provides a useful overview of the issues which need to be taken into consideration when evaluating the school's policy and procedures for safeguarding, including child protection. The self-evaluation form for safeguarding and child protection can be found on the Estyn website.

Judging safeguarding

Inspectors need to consider the range of activities that the school has in place to ensure the safety of its pupils. The school **must** conform with legal requirements as a starting point and they **should** follow any guidance from the Welsh Government.

The fundamental question is whether inspectors are satisfied that pupils are safe in the school. Safeguarding is likely to be a serious cause for concern if there are issues such as:

- staff being unclear about their responsibilities and what they need to do to protect pupils;
- missing CRB checks and/or incomplete records;
- inadequate arrangements for supervising visitors or volunteers who do not have CRB checks; and
- the school not dealing with bullying effectively.

Annex 1: Criminal Record Bureau (CRB) disclosures: repeat checks and portability

There is widespread misunderstanding about the portability of enhanced CRB disclosure certificates that have led to schools carrying out unnecessary routine requests for renewed checks. The following sets out the current position in relation to schools as to when checks need to be in place before an employee can start work.

- CRB checks were strongly recommended for all employees who have regular contact with children if they were employed after March 2002. However, the only requirement for those appointed before this date is that they must have been List 99 checked.
- CRB checks became mandatory for the entire maintained schools' workforce from 12 May 2006 (September 2003 for independent schools). Employees who took up post from this date must have an enhanced CRB disclosure.
- No further CRB checks are required** for any staff unless the person has a break in service of more than three months. There is no requirement for staff employed before March 2002 to have retrospective CRB checks as long as they have been in continuous service. In this context, continuity means no break of service of longer than three months. However, prior to 2002, there was a requirement for all staff who work with children and young people to have to be checked against List 99, and evidence of this should be checked.

All qualified teachers employed in maintained schools in Wales, including those appointed prior to 2002, must be registered with GTCW. The Independent Safeguarding Authority provides GTCW with regular updates on barred individuals. GTCW confirm that a GTCW registered teacher may have a criminal record but it would not be for a child protection-related offence.

Visiting staff

Staff such as educational psychologists, supply teachers, trainee teachers, nurses, sports coaches and inspectors should be CRB checked by their 'providing' organisation, for example the supply agency, the university, or local authority.

It is sufficient for schools to seek written confirmation that appropriate checks, including CRB checks, have been carried out for these people (most commonly on appointment) and by whom (most commonly the relevant human resources department), and to confirm the identity of these visitors. Written confirmation may take the form of a public statement on the providing organisation's website. In most circumstances, checks should be carried out prior to work commencing.

Part-time staff may use the same CRB check for two or more posts as long as they are at a similar level **and** the school has satisfied themselves about their veracity and appropriateness.

Governors

Under the current provisions of 'Safeguarding Children in Education', anyone working as a governor of a school, which involves regular work in the presence of, or care for,

children, or training, supervising or being in sole charge of children must have an enhanced CRB check (if appointed after April 2002).

'Further to Schedule 4 of Safeguarding Vulnerable Groups Act 2006, it is strongly recommended and is best practice for anyone working as a governor of an educational institution (including a school and maintained nursery schools) to have an enhanced CRB check. If a governor refuses to complete a CRB application, they can be disqualified from holding office in accordance with paragraph 12 of schedule 6 to the Government of Maintained Schools (Wales) Regulations 2005'.

Under the proposed provisions of the Protection of Freedoms Bill, governors who volunteer to work with children will be **exempt** from this requirement as long as they are **appropriately supervised** by a member of staff who has undergone such checks.

Moving between schools and local authorities

Since September 2006 supply agencies have been able to pass CRB checks between other school supply agencies and between individual schools.

- If an employee has been CRB checked, **there is no statutory requirement** that another CRB check is carried out before taking up a job in a different school or even in a different local authority, provided they have continuous service and the check is at the correct level for the new post.
- The same applies to someone who may not have a CRB check due to being in post before 2002, that is, there is no statutory requirement for further checks to be carried out.
- It is up to the receiving organisation to carry out a risk assessment to assess whether the check is at the correct level for the current role, whether it is accurate and whether they trust the previous organisation to have carried out the check efficiently.
- The school or local authority should ask for evidence, from the previous school or local authority, that the check was undertaken. Some schools and local authorities are reluctant to accept transferring staff without requesting a fresh CRB disclosure certificate because they believe that Estyn would be critical of such arrangements. Inspectors should avoid giving any impression that Estyn considers it good practice to request fresh CRB disclosure certificates routinely whenever a member of staff is recruited directly from another school without a break in service. Schools should be encouraged to risk assess each case individually and be prepared to demonstrate the basis for their decisions.
- In all-day educational establishments, new members of staff can take up their posts prior to a full CRB check as long as they work under the close supervision of a colleague who has such clearance.

The regulations above apply to all schools, including pupil referral units. Social care and residential settings are subject to the national minimum standards which require more stringent requirements in respect of safeguarding checks. In such settings, staff **can** take up their posts before CRB clearance has been received, but it must have been applied for and the member of staff awaiting clearance must be supervised when in contact with young people.

In the case of trainees on initial teacher education courses, it is the initial teacher education school's responsibility, not the school's, to ensure that appropriate recruitment checks are made. In the event of a delay in receiving disclosures from the CRB, the Welsh Government's guidance gives headteachers discretion to allow trainees to start working in a school subject to a satisfactory check of Independent Safeguarding Authority Children's List check and completion of other normal recruitment procedures. Training schools should keep headteachers fully informed of the progress of applications for disclosures, since schools will want to maintain closer supervision of trainees who have not yet received enhanced clearance. Schools must be satisfied that checks have indeed been done.

The situation is different for trainees on an employment-based teacher training route. They are employed by the school and should therefore be cleared by the school and in the same way as other directly employed staff.

Annex 2: Vetting and Barring Scheme: criminal offences related to new Independent Safeguarding Authority requirements

The following guidance supplements Welsh Government Circular 34/2002: 'Child Protection: Preventing Unsuitable People from Working with Children and Young Persons in the Education Service'.

The Vetting and Barring Scheme (VBS) was launched in October 2009. The three barring lists, Protection of Children Act (PoCA), the Protection of Vulnerable Adults (POVA) and List 99, were replaced by the creation of two new barred lists administered by the Independent Safeguarding Authority. The mechanism for making a barred list check through Criminal Records Bureau (CRB) remains the same, although it will no longer be possible to check a list without requesting an enhanced CRB check.

The Protection of Freedoms Bill will significantly restrict the original proposals of the Safeguarding Vulnerable Groups Act. However, no part of the act that has already been implemented has yet been withdrawn. Since 12 October 2009 it is a criminal offence for employers:

- to take on an individual in an Independent Safeguarding Authority **regulated** activity such as schools or childcare provision whom they know to have been barred from such an activity; and
- not refer to the Independent Safeguarding Authority details of anyone who is removed from regulated activity or who leaves while under investigation for allegedly causing harm or posing a risk of harm.

In practice this means that employers must refer information to the Independent Safeguarding Authority when they have dismissed an individual or an individual resigns, because they harmed or may harm a child or vulnerable adult.

If, in the course of the normal inspection of safeguarding within any Independent Safeguarding Authority¹ **regulated** provision, an inspector suspects a school of not complying with either of the above they should bring this to the school's attention and ask them to take immediate action.

Inspectors should record all the evidence on an evidence form and ensure that enough detail is included on the Reporting JF for that inspection. The reporting inspector should then email a copy of the Reporting JF together with some contextual information to Estyn's safeguarding email address at safeguarding@sharepoint.estyn.gov.uk. Dependent on the circumstances of the case and the action taken by the school, inspectors should consider whether this information will affect their judgements on safeguarding, the effectiveness of leadership and management and the overall effectiveness of the provision. Inspectors may also wish to consult Estyn's lead officer for safeguarding. Schools and inspectors can obtain further information on referrals at www.isa-gov.org.uk.

Under provisions in the Protection of Freedoms Bill, volunteers who are recruited to work with children are not be eligible for CRB or barred list checks unless they work unsupervised with the children. The DfE intends to consult on the definition and nature of supervision that would satisfy the conditions for this exemption. The Government intention is that this should then become a matter for local agreement, informed by published guidance. Inspectors should discuss with schools the risk assessments they carry out when recruiting volunteers to work with children and the nature of supervision arrangements they make if they choose not to request CRB disclosure certificates. Supervision should be by a member of staff who is defined as working in regulated activity, and who has therefore been subject to appropriate recruitment checks.

¹ www.isa-gov.org.uk

