EASTCROFT PARK

Statement of Procedures for Dealing with Allegations of Abuse Against Staff

Knowsley Council

Allegation Management Policy and Procedures

Version:	1
Approved by:	
Date formally approved:	
Document Author:	Vicki Clements
Name of responsible directorate:	
Review date:	
Target audience:	Schools

KMBC DOCUMENT CONTROL PAGE	
TITLE	**Title:** **Allegations Management Policy and Procedures** **Publication Date:** **Document Type:** **Guidance** **Version Number:** **Brief Summary:**
ORIGINATOR	**Document Author and Job Title: Vicki Clements Safeguarding Development Officer** **Responsible Directorate:** **Policy Operational Level:**
FORMAL APPROVAL	**Approved by:** **Date approved:**

REVIEW	**Review Date:** **Responsibility of:**
SUPERSEDES	**Supersedes:** **Description of Amendments:**
POLICY DEPENDENCIES	**Link to other Council documents:** **Link to Council Primary Objective:** **Link to Local Strategic Partnership Priority:**

	KMBC DOCUMENT CONTROL PAGE (2) Continued
EQUALITY IMPACT ASSESSMENT	**In order to carry out an EIA you should first complete a screening matrix which can be accessed through the Corporate Equality and Diversity Team.** **Screening Matrix Complete: Yes ☐ No ☐ Date Complete:** **Manager/Group responsible:** **Category: High ☐ Medium ☐ Low ☐ No relevance ☐** **Based on the category indicate the date that a further assessment must take place:**
	Initial Assessment is complete: Yes ☐ No ☐ N/A ☐ **Date Complete:**
	Full EIA Process is complete: Yes ☐ No ☐ N/A ☐ **Date Complete:**
SUSTAINABILITY APPRAISAL	**To evaluate the economic, social and environmental impacts of a policy you should complete the Integrated Sustainability Appraisal Toolkit on the Policy Hub** **Policy has been appraised for sustainability: Yes ☐ No ☐** **Action has been taken to mitigate any identified negative impacts:** **Yes ☐ No ☐ N/A ☐** **Date Complete:**
RISK ASSESSMENT	**A risk assessment template is available on the Corporate Risk Management intranet site.** **Policy has been risk assessed: Yes ☐ No ☐** **Date complete:**
TRAINING/ AWARENESS RAISING	**Training / awareness raising required to fully implement document: Yes ☐ No ☐** **If no please state why:** **If yes indicate the date of training / awareness raising:** **Training provided by:**
POLICY LIBRARY	**Once formally approved the document should be posted onto the Policy Library on the council intranet.** **Date Posted:** **Posted by:**

Contents

Page

Appendices

Appendices

Section 1
Policy Statement Allegations Management

- This document replaces the exemplar policy document in the Local Authority Child Protection Guidance 2004, Section 4.
- This policy document is based on the framework for dealing with allegations made against a person who works with children as details in **Chapter 5 of Safeguarding Children and Safer Recruitment in Education 2006, and Appendix 5 of Working Together to Safeguard Children 2006.**
- It is intended that this document be used as an outline for an individual School/Learning Centre to develop a management of allegations against staff policy.
- The term 'staff' within this document refers to all paid and unpaid posts; it includes school governors and those contracted to undertake work on the school/learning centre site.

In light of current legislation, each School/Learning Centre should fully acknowledge its duty to safeguard and promote the welfare of all children. It should also recognise and uphold responsibilities and duties when an allegation is made against a member of staff.

Through their day to day contact with children school staff are in a good position to observe the outward signs of abuse, changes in behaviour, or failure of a student to develop. Unfortunately, due to their close personal relationships with students, they are also vulnerable to allegations of abuse or misconduct. These allegations may be false, malicious or misplaced. They also may be true.

Staff can harm students, either deliberately or as a result of a failure to follow procedures, policies or the code of conduct.

All Schools/Learning Centres in dealing with allegations of abuse made against a member of staff, should ensure they review, and where appropriate modify their procedures and practice.

Safeguarding and promoting the welfare of children is defined for the purpose of this document as:-

- Protecting children from maltreatment
- Preventing impairment of children's health or development

- Ensuring that children are growing up in circumstances consistent with the provision of

It upholds the principle of Safeguarding and relates to other School/Learning Centre policies including:-

- Race, Gender & Disability Equality Schemes
- E Safety Policy
- Sex Education Policy
- Behaviour Policy
- Anti-bullying Policy
- Positive Handling Policy (which may be included as part of the Behaviour Policy)
- Allegations Management Policy
- Drug Prevention Policy
- Safer Recruitment

safe and effective care

Undertaking the role so as to enable those children to have optimum life chances and enter adulthood successfully.

Safeguarding and the protection of children and young people from abuse and neglect is the duty of all staff. Headteachers should ensure that staff and students are aware of how to report child protection concerns.

The rights of the child and member of staff must be considered. However, where a conflict exists between the interests of the child and those of the adult, the child's interests must be paramount as required by the Children Act 1989.

This Allegations Management Policy has been written to comply with:-

- Working Together to Safeguard Children (2006)
- KSCB Safeguarding Procedures Manual (2007)
- KSCB procedures for managing allegations against people who work with children and young people. (2007)
- Children's Acts (1989) (2004)
- Education Act (2002)
- Safeguarding Children and Safer Recruitment in Education (2006)

This is not an exhaustive list

Allegations Management Identified Roles

- The Named Senior Officer for Allegations Management.
- The Named Senior Manager for Allegations Management.
- The Local Authority Designated Officer (LADO) for Allegations Management. (See Appendix2)

Section 2
The Aim of the Allegations Management Policy

This is a whole School document aimed at all staff including support staff, cleaners, grounds maintenance, catering, building maintenance, governors, volunteers, children centre staff, child care providers and extended schools providers.

It aims to promote a safe environment where child safeguarding concerns can be managed in an appropriate way. It supports the Safeguarding agenda, and draws links through, and is reflected in all relevant school /learning centre policy documents.

The aim of this model policy document is to offer clear guidelines for schools/ learning centres and their staff, and support them through the process of managing an allegation against a member of staff.

This document follows the Knowsley Safeguarding Children Board Local Authority Designated Officer (LADO) procedures for managing allegations against people who work with children and young people.

Section 3
Embedding Safeguarding in Schools

3.1 Promoting a Safe Culture

Child abuse may be physical, sexual or emotional or due to neglect. Child abusers may be relatives or friends of the family, however some meet children in other contexts. A small minority of these may gain access to children in schools as teachers, support staff or through voluntary involvement in school activities. Headteachers are responsible for creating a safe and healthy learning environment and preventing unsuitable people working with children.

In order to promote a safe culture our School/Learning Centre we will:-

3.1.1 Establish and maintaining an open environment where children feel secure, and are encouraged to talk and feel listened to.
3.1.2 Ensure children know that there are adults in the School/Learning Centre they can approach if they are worried.
3.1.3 Ensure that **all** staff are aware of their duty to Safeguard children.
3.1.4 Allegations or concerns made by or on behalf of a child should always be taken seriously and referred through the set procedures to the relevant agencies
3.1.5 Establish a professional code of conduct which is understood and agreed by all staff as part of their induction and continuing professional development.

3.2 In promoting a positive and safe culture students should not feel inhibited from reporting abuse against them by staff or volunteers. Any incident where a pupil has grounds to believe that a member of staff has crossed the boundary of acceptable behaviour should be reported.

Head teachers and staff will continue to do all they can to ensure that the environment within schools encourages pupils and staff to make truthful reports of

any inappropriate behaviour. It should be acknowledged when an allegation is made against a member of staff that some of the trust in the staff team is eroded. This is true for both, a child or an adult reporting the allegation.

The School/Learning Centre will therefore:-

3.2.1 Establish and maintain an ethos where children and adults feel secure and are encouraged to talk, and are listened to. This may include an agreed code of conduct for students and also for staff.
3.2.2 Ensure that across the curriculum children are allowed to learn about keeping themselves and each other safe.
3.2.3 Ensure children who report to a member of staff, that another member of staff has harmed them must be listened to and be taken seriously.
3.2.4 Ensure that 'Listened to', means just that and on no account should suggestions be made to children, regarding alternative explanations for their worries.
3.2.5 Ensure that children will not be interrogated, i.e asked repeated questions, but must be listened to and an accurate written record kept.
3.2.6 Ensure that it is understood that making false allegations is a serious matter and may result in consequences for those involved.
3.2.7 Recognise the power imbalance that not only exists between children and adults, but also between adults who have different professional status, and the implications this can have on the reporting of allegations and whistleblowing.

3.2 Support to those involved

When an allegation is made about a member of staff there are implications for all those involved. The investigation of such allegations should be conducted in a way that recognises the vulnerability of staff and protects them from mistaken or false allegations. Investigations must be dealt with quickly, fairly and impartially. In accordance with the procedure the member of staff should be informed about the allegation as soon as possible. The Headteacher in consultation with the Named Senior Manager for Allegations Management must ensure there is no objection by the Police before contacting any parties. Where the Police object, it then becomes their responsibility to inform the Headteacher/LADO when the notifications may take place

3.3 Parents/carers and child involved

In line with the LA Guidance, parents or carers of a child or children involved, should be told about the allegation as soon as possible, and be made aware of the situation if they are not already. It should be discussed with the Named Senior Manager for Allegations Management in conjunction with the Local Authority Designated Officer (LADO) as to how, and by whom they should be informed.

In circumstances where the police or social care may need to be involved the Named Senior Manager for Allegations Management should consult those colleagues on how best to inform those parents. In certain circumstances the school

may need to inform parents straight away e.g. if the child has been injured while at school, or in a school related activity, and requires medical treatment.

Our School/ Learning Centre aims to ensure parents are:-

3.4.1 Kept informed about the progress of the case.

3.4.2 Informed of the outcome where it is not a criminal prosecution, including the outcome of any disciplinary hearing. Excluding any details regarding the notes/deliberations of the hearing, and information taken into account when reaching a decision.

In case where a child may have suffered abuse or neglect, or there may be a criminal prosecution, the Children and Families Social Work Teams, or the police as appropriate should consider what support the child or children involved might need.

3.5 Person who is subject to the allegations

The person who is the subject of the allegation should also be kept informed of the progress of the case by the school. Consideration should also be given to any other support that may be appropriate for the individual.

Our School/Learning centre ensures that all staff is aware that:-

3.5.1 They can receive support via the local authority occupational health or employee welfare arrangements.

3.5.2 If they are suspended they should be kept informed about developments at school.

3.5.3 If they are a member of a union or professional association they should be advised to contact that body at the outset.

Section 4
Allegations Management Procedures

4.1 These procedures should be applied when there is an allegation that a person who has worked with a child has:-

- Behaved in a way that has harmed, or may have harmed a child.
- Possibly committed a criminal offence against, or related to a child.
- Behaved towards a child or children in a way that indicated that he or she is unsuitable to work with children.

We recognise that any allegation of abuse made against a teacher or other member of staff or volunteer in our School/Learning Centre should be dealt with quickly, and consistently, in a way that provides effective protection for the child while also supporting the person who is the subject of the allegation.

4.2 THE HEADTEACHER/GOVERNOR MUST NOT TAKE ANY ACTION OR COMMENCE INVESTIGATIONS BEFORE CONSULTING THE LOCAL AUTHORITY NAMED SENIOR MANAGER. It is the responsibility of the Police and the Social Services Department to investigate allegations of abuse.

THE HEADTEACHER/GOVERNOR MUST NOT INTERVIEW THE CHILD, THE MEMBER OF STAFF OR OTHER POTENTIAL WITNESSES

4.3 School staff employed by Headteacher and school governing body.

Following confirmation that there was the potential for contact, the Headteacher/Chair of Governors will as appropriate:

4.3.1 ask for a written account from the member of staff hearing the allegation, countersign and date the written account of the person reporting the allegation to record receipt

4.3.2 record any information about times, dates, location and names of potential witnesses

4.4 Children Centre/Child Care/ Extended School, staff employed by independent providers.

Following the confirmation that there was the potential for contact, the line manager will:-

4.4.1. Immediately suspend without prejudice.

4.4.2. ask for a written account from the member of staff hearing the allegation, countersign and date the written account of the person reporting the allegation to record receipt

4.4.3 record any information about times, dates, location and names of potential witnesses

4.5 Direct Referral to the Police

At our School/Learning Centre we understand that parents or pupils may make a direct referral to the Police regarding a member of staff in such cases we ensure that:

4.5.1. Any such referral must be dealt with in accordance with the procedures.

However, in some cases the Police may wish to interview the member of staff against whom the allegation is made before the Named Senior Manager for Allegations Management or Headteacher has advised the member of staff of the allegation. This must be facilitated and confidentiality maintained. This should only occur on rare occasions following a serious allegation.

4.6 Reporting (See Appendix 1)

As part of reporting procedures our school/learning centre will ensure that:-

4.6.1 All allegations against a member of staff should be reported straight away to the Headteacher.

4.6.2. In the absence of the Headteacher, or if the allegation concerns the Headteacher, it should be reported to the chair of governors.

4.6.3. The advice of the designated Local Authority Manager for allegations management is sought.

4.6.4. Actions taken will be as a result of discussions with the Local Authority Manager for allegations management, for staff employed by the Headteacher and governing body.

In Knowsley, Allison Cain is the Named Senior Manager for Allegations Management.

4.7 Record Keeping - Allegations

Handling allegations, particularly serious ones, is a complex and delicate process. It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a persons confidential personnel file, and a copy provided to the person concerned. All allegations need to be taken seriously. As part of record keeping procedures our School/Learning Centre will ensure that:-

4.7.1 A clear and comprehensive summary of an allegation should be recorded accurately, and should include details of: -

- how the allegation was followed up
- how the allegation was resolved
- notes of any action taken and decisions reached.

4.7.2 The information should be kept on a staff members confidential personnel file, and a copy provided to the person concerned. The record should be kept until the person has reached normal retirement age, or for a period of 10 years from the date of the allegation if that is longer.

We understand that this will enable accurate information to be given in response to future reference requests, provide clarification where a future CRB Disclosure reveals information from the police that didn't result in a criminal conviction and prevent unnecessary reinvestigation should an allegation resurface after a period of time.

4.8 Suspension

School staff employed by Headteacher and school governing body.
For staff employed directly by the school, the power to suspend is vested in the head teacher and the governing body of the school. When appropriate, alternatives to suspension should be considered e.g. removing the member of staff from direct contact with pupils, or ensuring the member of staff does not teach the pupil making the allegation.

Within our School/Learning Centre a member of staff against whom an allegation is made will not be automatically suspended.

4.8.1 A risk assessment which takes into account background information, and the context of the allegation and the possible risk of harm to children posed by an accused person will be completed for individual cases to determine whether the member of staff should be suspended.

4.8.2 The risk assessment will be completed with the assistance of the Senior Named Manager for Allegations Management.

4.8.3 If the decision is made not to suspend, a copy of the completed risk assessment must be shared with the LADO and Executive Director of Children's Services

4.8.4 The risk assessment will be signed, dated and reviewed on a weekly basis.

Suspension for staff directly employed by the school governing body will be considered if:-

4.8.5 Information received indicates that the member of staff may have committed and act of gross misconduct.

4.8.6 The individuals continued presence at the school could impede an investigation

4.8.7 They could pose a risk to the child/other children at the school.

If a decision is made that the alleged member of staff should be suspended either at the beginning of the process or during the investigation, **the Headteacher must consult with the Senior Human Resources Officer to ensure the correct procedure is followed.**

Children Centre/Child Care/ Extended School, staff employed by independent providers.

In line with Care Standards for staff employed in child care but co-located on school sites, and also for those staff employed by independent providers if an allegation is made against a member of staff, they will be immediately suspended without prejudice pending an investigation into the allegation by the relevant agencies.

4.9 Restraint

Where the allegation relates to the use of reasonable force to restrain a pupil, in accordance with s.550A of the Education Act 1996 and the DfES Circular 10/98, it will be appropriate for the Headteacher to deal with this at a school level as outlined in the school positive handling policy.

4.9.1 In our School/Learning Centre an allegation of assault beyond the use of reasonable force would be referred as a Child Protection matter.

4.9.2 If a child receives an injury following a restraint and alleges an assault, this will be seen as a Child Protection matter.

4.10 Timescales.

Every effort should be made to ensure the investigation is fair, thorough and is resolved as quickly as possible.

The school understand that, where the initial consideration decides that the allegation does not involve a possible criminal offence, it will be for the employer to deal with it. In such cases:-

4.10.1 If the nature of the allegation does not require formal disciplinary action, the head teacher should institute appropriate action **within 3 working days**.

4.10.2 If a disciplinary hearing is required and can be held without further investigation, the hearing should be held **within 15 working days**.

In line with Working Together to Safeguard Children 2006 guidelines, unnecessary delay should be avoided.

4.11 After the investigation

If an allegation is shown to be false/unfounded we will:-

4.11.1 Ensure children who make false allegations continue to receive support and full access to the curriculum.

4.11.2 Consider whether someone else may have harmed the child and consider making a referral under child protection procedures.

4.11.3 A strategy plan will be agreed outlining what action should be taken, by whom and when.

4.11.4 Inform the member of staff concerned that no further action is to be taken.

4.11.5 Ensure that if the member of staff has been suspended that necessary steps are taken to support the staff members return to work.

If a member of staff is found guilty at court we will ensure:-

4.11.6 The matter will be considered by the Governing Body under disciplinary procedures, with guidance from the Senior Human Resources Officer.

If a member of staff is found not guilty at court we will attend a strategy meeting to determine:-

4.11.6 Whether the matter needs to be dealt with under disciplinary procedures.

4.11.7 A clear action plan with timescales to cover:-

- Any further action via disciplinary procedures.
- Information to be given to the child and family making the allegation.
- Information to be given to staff group at school.
- Information to be given to other parents.
- Support to be made available to the child and or family.
- Support to be made to the member of staff.

4.12 Disciplinary Investigation

The school/ learning centre will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full, and will ensure that:-

4.12.1 Any disciplinary investigation should be clearly separated from the Child Protection investigation.

4.12.2 The Child Protection investigation must take precedence

4.12.3 Whilst suspension of a member of staff may be appropriate during a Child Protection investigation, no school/LEA disciplinary procedures should be commenced without the consent of Police/Social Services Department.

The School/Learning centre acknowledges that:-

4.12.4 It is good practice to not commence the disciplinary investigation until the outcome of the CP investigation is known.

4.12.5 The staff member should not return to school until the disciplinary process is complete.

4.12.6 A clear action plan should be put in place to support the child and member of staff.

Referral to DfES List 99, Protection of Children Act List, or regulatory body.
In line with the Knowsley Safeguarding Children Board procedures for managing allegations against people who work with children and young people, some cases will need to be reported to the DfES for consideration of including the person on list 99, or for consideration by the GTC about possible sanctions against the individual.

The school should discuss with the Local Authority Lead Officer (LADO) whether a referral should be made for consideration as to the individual being barred from, or having conditions imposed in respect of, working with children.

If it is agreed that a referral is required or desirable, the LADO is available to advise on the form and content of such a referral, and where it should be made.

In line with the guidance in a referral is appropriate the report should be made within one month.

Section 5
Preventing unsuitable people working with children

5.1 In accordance with the schools Safer Recruitment policy the school/learning centre, will operate safer recruitment practices, including:-

- Promoting Safeguarding at advert.
- Thoroughly scrutinising applications
- Ensuring pre appointment checks are completed
- Ensuring appropriate CRB disclosures are undertaken according to DfES Safeguarding Children and Safer Recruitment in Education (2006)

5.2 Training - Induction of new staff

Anyone who joins the staff will participate in an induction, and as part of the induction process be fully briefed concerning their responsibilities around safeguarding, and expected code of conduct when working with children

5.2.1 All new staff will participate in an induction which will include receiving training and information on Child Protection, Allegations Management, Safeguarding, etc

5.2.2 All new staff will have received a copy of the child protection policy and allegations management policy and have signed to say they have read and understood the documents.

5.3 Code of conduct for staff and students.

The School/Learning Centre will ensure:

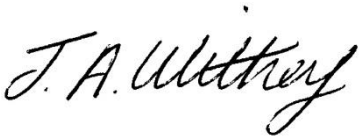
5.3.1 That all staff including all paid and unpaid posts; school governors and those contracted to work on the School/Learning Centre site are aware of the need for maintaining professional boundaries in their relationships with pupils and parents as advised by the Local Authority's Code of Conduct.

5.3.2 That the staff team will agree and participate in the development and reviewing of a School/Learning Centre specific Code of Conduct.

Section 6
Monitoring and Review

5.1 This policy and procedure describes the Allegations Management standards for our School/Learning Centre and will be monitored annually.

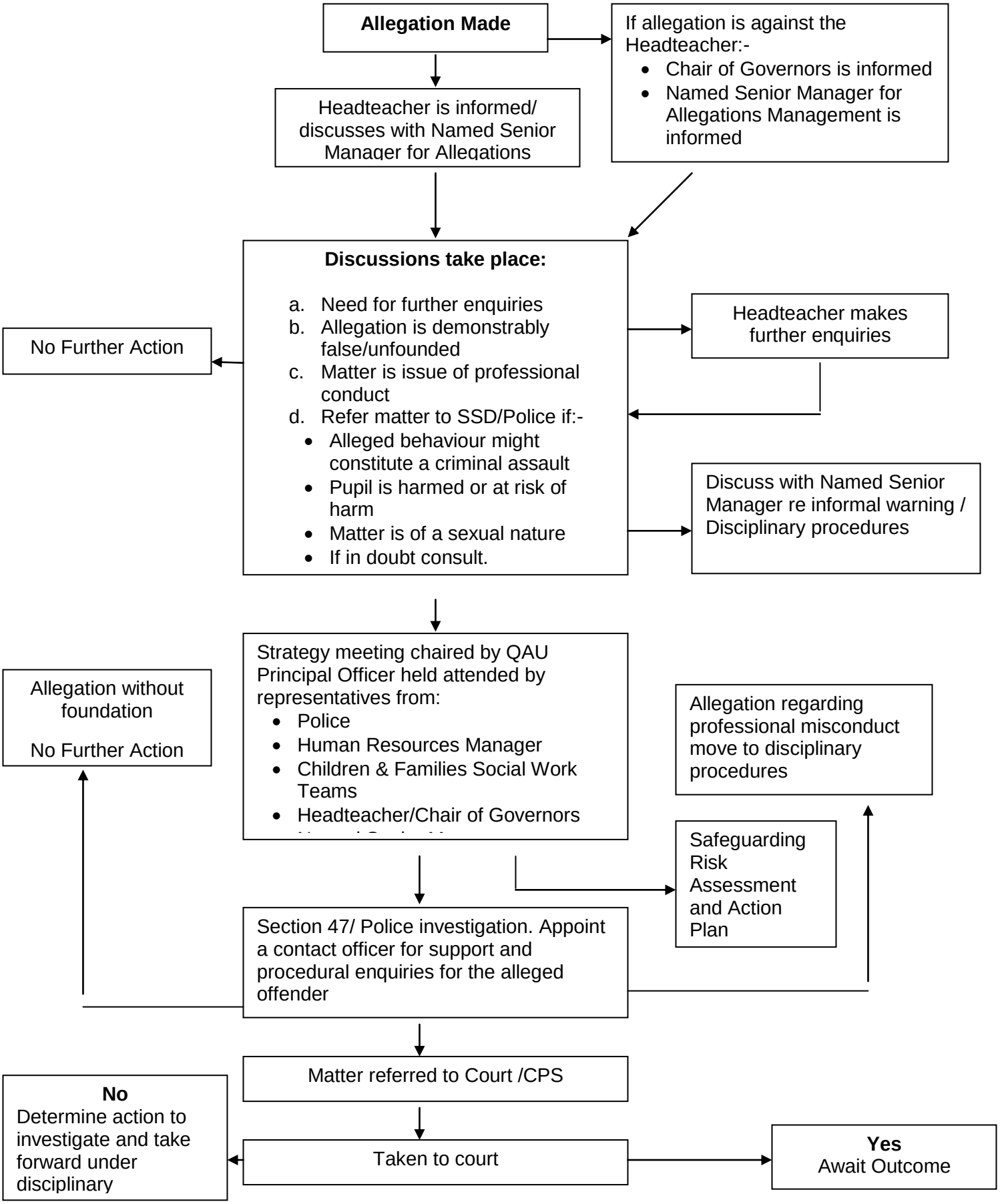
5.2 In the interests of promoting Safeguarding it is advised that all staff receive a copy of the School/Learning Centre Allegations Management Policy and sign a safeguarding checklist to say they have read and understood its content.



Signed: **Review Date**

Appendix 1 Flowchart

Procedures for managing allegations of abuse against education staff



Appendix 2 Roles and Responsibilities

Knowsley Safeguarding Children Board (KSCB)
KSCB has a responsibility for ensuring that there are effective inter agency procedures in place for dealing with allegations against people who work with children and for monitoring and evaluating the effectiveness of those procedures.

Local Authority Designated Officer (LADO)
The KSCB and Local Authority will appoint a Local Authority Designated Officer who will:-

- Be involved in the management and oversight of individual cases.
- Provide advice and guidance to employers and voluntary organisations.
- Liaise with the police, Crown Prosecution Service and other agencies.
- Responsible for maintaining lists such as POCA, List 99. (Independent Safeguarding Authority when in place)
- Monitor the progress of cases to ensure they are dealt with as quickly as possible consistent with a thorough and fair process.
- Report regularly to the KSCB on the number, nature and progress of cases.
- Link with Named Senior Managers in all agencies.

Named Senior Officer
A Named Senior Officer will be identified as having the over all responsibility for:-

- Ensuring that the organisation operates these procedures for dealing with allegations.
- Resolving any inter agency issues that may arise.
- Liaising with the KSCB.

Named Senior Manager
The Named Senior Manager will be identified, and all allegations and concerns should be reported by schools to them or a deputy in their absence.

- Liaise with the LADO.
- Support schools with risk assessments
- Attend strategy meetings
- Keep records of allegations

The Head Teacher
An allegation made against a member of staff should be reported to the Headteacher immediately. The Headteacher must not take any action or commence investigations before consulting with the Named Senior Manager for Allegations Management. It is the responsibility of the Headteacher

- To ensure the correct procedure is followed
- Accurate records are kept
- All members of the staff team are aware and have understood the policy and procedures around allegations management.

The Chair of the Governing Body
Should the Headteacher be subject to an allegation it is the responsibility of the Chair of the Governing Body to:-

- liaise with the designated senior manager
- Attend strategy meetings
- Record any information about times, dates, location and names of potential witnesses.
- Ask for a written account from the member of staff hearing the allegation, countersign and state the written account of the person reporting the allegation

The Police
The police have a responsibility to investigate allegations of abuse and should aim to complete their enquiries as quickly as possible, consistent with a fair and full investigation. They should at the outset:-

- Set a target for reviewing the progress of the investigation
- The review should take place no later than four weeks after the initial evaluation
- Consult with Crown Prosecution Service (CPS) about whether to:-
    - Proceed with the investigation
    - Charge the individual with an offence
    - Close the case

If the police or CPS do not charge the individual with an offence, administer a caution or the person is acquitted, the police should pass on all information which may be relevant to a disciplinary case, to the employer forthwith. Should the disposal be a conviction the police should immediately inform the employer so that appropriate action can be taken.

Department of Wellbeing Services Children and Families Principal Officers In Knowsley the Department of Wellbeing Children and Families Principal Officers chair strategy discussions following an allegation. Their role includes monitoring the progress of the case to ensure they are dealt with a quickly as possible. Also, to ensure any child/children named in the allegation are safeguarded and if relevant subject to child protection procedures.

Children and Families Social Work Team
Following an allegation Children and Families Social Work Teams may be involved in making enquires to determine whether the child/children named are in need of protection or services.

Should any information obtained during the course of these enquires be relevant to a disciplinary case it should be passed to the employer or regulatory body without delay.

Appendix 3

Key Roles	**Contact details**	
Named Senior Manager	Allison Cain	443-3287
	Phil McCalliog	443-3296
Named Senior Officer	Kitty Ferris	443-3244

Local Authority Designated Officer	Lorna Shlechte	443-4483
Safeguarding Development Officer	Vicki Clements	443-5721

Updated from an original document produced by a DCSF network of Advisors

department for
children, schools and families

This guidance has been updated from an original IRSC [1]document - 'Guidance *for Safe Working Practice for the Protection of Children and Adults in Education Settings* 2006 commissioned by DfES[2].

[1] Investigation Referral and Support Co-ordinators network
[2] Department for Education and Skills. now known as Department for Children, Schools and Families (DCSF)

Contents

Section 1 Overview

1.1 Background…… 5

1.2 What to do if you are worried a child is being abused…….. 6

Section 2 Using the Guidance

2.1 Status of Document…… 7

2.2 Purpose of the Guidance…….. 7

2.3 Underlying Principles…….. 7

2.4 Definitions…… 8

2.5 How to Use the Document…….. 8

Section 3 Guidance for Safer Working Practices

1 Context…… 10

2 'Unsuitability'…… 10

3 Duty of Care 10

4 Confidentiality 11

5 Making a Professional Judgement 12

6 Power and Positions of Trust 12

7 Propriety and Behaviour 13

8 Dress and Appearance…….. 13

9 The Use of Personal Living Space…… 14

10 Gifts, Rewards and Favouritism…… 14

11 Infatuations 15

12 Communication with Pupils *(including Use of Technology)*…….. 15

13 Social Contact 16

14 Sexual Contact…… 17

15	Physical Contact……..	17
16	Other Activities that Require Physical Contact	19
17	Behaviour Management.....	19
18	Use of Control and Physical Intervention.....	20
19	Children and Young People in Distress……...	21
20	Intimate Care……	21
21	Personal Care	22
22	First Aid and Administration of Medication……..	22
23	One to One Situations……	23
24	Home Visits……..	24
25	Transporting Pupils	24
26	Education Visits and After School Activities ……..…	25
27	Photography and Videos	25
30	Access to Inappropriate Images and Internet Usage	26
28	Overnight Supervision and Examinations……	27
29	Curriculum…… .	27
31	Whistle Blowing……..…	28
32	Sharing Concerns and Recording Incidents	28

Appendices

1. How this document fits with other versions 29
2. How to Use the document 30

For further information, please contact your Safeguarding Advisor in your local Government Office or the Local Authority Designated officer (LADO) in the Safeguarding unit of your local council.

Section 1: Overview

1.1. Background

All adults who come into contact with pupils in their work have a duty of care[3] to safeguard and promote their welfare.

The Children Act 2004, through the Stay Safe outcome of the Every Child Matters Change for Children programme[4], places a duty on schools/services to safeguard[5] and promote the well-being of pupils. This includes the need to ensure that all adults who work with or on behalf of pupils are competent, confident and safe to do so.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for pupils in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned. Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps are taken to safeguard pupils and ensure that the adults working with them are safe to do so.

Some concerns have been raised about the potential vulnerability of adults in this area of work. It has been suggested that there is a need for clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. This document has been produced in response to these concerns and provides practical guidance for anyone who works with, or on behalf of pupils regardless of their role, responsibilities or status. It seeks to ensure that the duty to promote and safeguard the wellbeing of children is in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by their employer. It is expected that in these circumstances adults will always advise their senior colleagues of the justification for any such action already taken or proposed.

It is also recognised that not all adults who work with pupils work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by any adult whose work brings them into contact with pupils.

---

[3] The duty which rests upon an individual to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity, or interaction for which that individual is responsible. Any person in charge of, or working with pupils in any capacity is considered, both legally and morally, to owe them a duty of care

[4] www.everychildmatters.gov.uk

[5] Process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables them to have optimum life chances… Working Together to Safeguard Children: 2006 HM Government

The guidance contained in this document has due regard to current legislation and statutory guidance. It has been updated from a previous 2006 version.

1.2. What to do if you are worried a child is being abused[6]

Everyone working with pupils should be familiar with local procedures and protocols for safeguarding the welfare of pupils. Adults have a duty to report any child protection or welfare concerns to a designated member of staff in their school/service and/or report any concerns to the local social care office. Anyone who has concerns or is in doubt should refer to the document '**What To Do If You're Worried a Child Is Being Abused"** and follow that guidance.

[6] What to do If You are Worried a Child is Being Abused HM Government 2006

Section 2:Using the Guidance

2.1. Status of Document

This guidance document was originally commissioned by the Department for Children, Schools and Families[7]. (DCSF). It does not replace or take priority over advice or codes of conduct produced by employers or national bodies, but is intended to both supplement and complement any such documents.

The document should also complement existing professional procedures, protocols and guidance which relate to specific roles, responsibilities or professional practices within an Education setting.

2.2. Purpose of Guidance

It is important that all adults working with children understand that the nature of their work and the responsibilities related to it, place them in a position of trust. This practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. The guidance aims to:

- keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided;
- assist adults working with children to work safely and responsibly and to monitor their own standards and practice;
- support managers and employers in setting clear expectations of behaviour and/or codes of practice relevant to the services being provided;
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- minimise the risk of misplaced or malicious allegations made against adults who work with pupils;
- reduce the incidence of positions of trust being abused or misused.

Employers should be familiar with, and know how to access, their Local Safeguarding Children Board's policy and procedures for managing allegations against staff.

2.3. Underpinning Principles

- The welfare of the child is paramount.[8]

- It is the responsibility of all adults to safeguard and promote the welfare of pupils. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with pupils.

[7] Previously DFES
[8] Children Act 1989

- Adults who work with children 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.

- Adults should work and be seen to work, in an open and transparent way.

- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.

- Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document.

2.4. Definitions

For ease of reading, references are often made to **"school".** This term is interchangeable with all other types of educational establishments e.g. FE Institutions, Sixth Form Colleges, Pupil Referral Units.

Pupils/Students/Children and Young people: Throughout this document references are made to "pupils, students and children and young people". These terms are interchangeable and refer to children who have not yet reached their 18th birthday.

Adults: References to 'adults' or 'volunteers' refer to any adult who is employed, commissioned or contracted to work with or on behalf of pupils in either a paid or unpaid capacity.

Headteacher/Manager: These terms refers to those adults who have responsibility for managing staff and/or services including the supervision of employees and/or volunteers at any level.

Employer: The term 'employer' refers to the school/service which employs, or contracts to use the services of individuals in pursuit of the goals of that school/service. In the context of this document, the term 'employer' is also taken to include 'employing' the unpaid services of volunteers.

Safeguarding: Process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully[9].

Duty of Care: The duty which rests upon an individual or school/service to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or school/service is responsible. Any person in charge of, or working with pupils in any capacity is considered, both legally and morally to owe them a duty of care.

2.5. How to Use the Document

This document is relevant to both individuals and schools/services working with or on behalf of pupils. Where an individual works independently and does not work as part of a school/service references made to the 'senior manager' should be taken to refer to parents or those with parenting responsibilities.

[9] Working Together to Safeguard Children 2006. HM Government (WT 2006)

Each section provides general guidance about a particular aspect of work undertaken with pupils with, in the right hand column, specific guidance about which behaviours should be avoided and which are recommended. Some schools/services may need to adapt or add to the guidance to meet their specific practices or contexts. There are also variations of this document which have been written specifically for a generic audience or have been adapted for specific agencies. The diagram in Appendix 1 illustrates how the guidance could be used as a basis for developing specific agency guidance. Appendix 2 provides a visual framework for understanding how the document fits with safer recruitment and selection and procedures and those which relate to disciplinary proceedings.

It is recommended that schools/services use this guidance to develop and promote safer working practice by ensuring that all employees and volunteers are made aware of its contents, have access to the document and understand the expectation that they will work to it.

Incorporating the use of this document in recruitment and selection processes will help to prevent and deter unsuitable people from working with children and young people. Providing employees and volunteers with clear guidance on appointment and revisiting this guidance through induction, supervision, performance management, training programmes etc, will also help to ensure a safer children's workforce. Headteachers, Chairs and Governing bodies will be better placed to deal with unsuitable or inappropriate behaviour if their expectations have been made clear and reinforced throughout a person's employment and there is evidence that this has been done.

Individuals should follow this guidance in their day to day practice. It should also be referred to when taking on new work, different duties or additional responsibilities.

Section 3: Guidance for Safe Working Practice

1. Context

Staff working in education settings have a crucial role to play in shaping the lives of young people. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance has been produced to help adults establish the safest possible learning and working environments which safeguard children and young people and reduce the risk of adults working with them being falsely accused of improper or unprofessional conduct.

This means that these guidelines:

- *apply to **all** adults working in education settings whatever their position, role, or responsibilities*
- *may provide guidance where an individual's suitability to work with pupils has been called into question.*

2. 'Unsuitability' [10]

The guidance contained in this document is an attempt to identify what behaviours are expected of adults who work with pupils. Adults whose practice deviates from this guidance and/or their professional or employment-related code of conduct may bring into question their suitability to work with pupils or children and young people in any capacity.

This means that adults should:

- *have a clear understanding about the nature and content of this document*
- *discuss any uncertainties or confusion with their Headteacher or line manager*
- *understand what behaviours may call into question their suitability to continue to work with children and young people.*

3. Duty of Care

Teachers and other education staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect pupils from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from sexual, physical and emotional harm. Children have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of pupils. Failure to do so may be regarded as professional neglect.

The duty of care is, in part, exercised through the

This means that adults should:

- *understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached*
- *always act, and be seen to act, in the child's best interests*
- *avoid any conduct which would lead any reasonable person to question their motivation and intentions*
- *take responsibility for their own actions and behaviour*

[10] WT 2006 Chapter 6, page 153.

development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

The public, local authorities, employers and parents have legitimate expectations about the nature of professional involvement in the lives of pupils. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees under the Health and Safety at Work Act 1974[11] which requires them to provide a safe working environment for staff and guidance about safe working practices. Thus, employers have a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. Staff who are subject to an allegation should therefore be supported and the principles of natural justice applied

The Health and Safety Act 1974 also imposes a duty on employees[12] to take care of themselves and anyone else who may be affected by their actions or failings. An employer's duty of care and the staff duty of care towards children should not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines.

The Governing Body of a school controls the use of the school premises both during and outside school hours, except where a trust deed allows a person other than the governing body to control the use of premises, or a transfer of control agreement has been made.

Where the Governing Body provides services or activities directly under the supervision or management of school staff the school's arrangements for safeguarding must be followed.

This means that employers should:

- *foster a culture of openness and support*
- *ensure that systems are in place for concerns to be raised*
- *ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.*
- *ensure that staff are not placed in situations which render them particularly vulnerable*
- *ensure that all staff are aware of expectations, policies and procedures*

This means that Governing Bodies should:

- *ensure that appropriate safeguarding and child protection polices and procedures are adopted, implemented and monitored in school*
- *ensure that, where services or activities are provided by another body, the body concerned has appropriate safeguarding polices and procedures*

4. Confidentiality

Members of staff may have access to confidential information about pupils in order to undertake their every day responsibilities. In some circumstances staff

This means that adults:

- *be clear about when information can be shared and in what*

[11] Health and Safety at Work Act 1974 Part I, Section. 2 (1) and (2)
[12] Health and Safety at Work Act 1974 Part I, Section.7

may be given highly sensitive or private information. They should never use confidential or personal information about a pupil or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other schools/services). Information must never be used to intimidate, humiliate, or embarrass the pupil.

Confidential information about a child or young person should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the child's identity does not need to be disclosed the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to senior management.

The storing and processing of personal information about pupils is governed by the Data Protection Act 1998. Employers should provide clear advice to staff about their responsibilities under this legislation.

The booklet "What To Do If You're Worried A Child Is Being Abused"[13] contains further guidance[14] on sharing information to protect children.

circumstances it is appropriate to do so

- *are expected to treat information they receive about pupils in a discreet and confidential manner*
- *should seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them*
- *need to know to whom any concerns or allegations should be reported*

5. Making a Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their

This means that where no specific guidance exists adults should:

- *discuss the circumstances that informed their action, or their proposed action, with the Headteacher, senior member of the team and the parent/carer.*

[13] What to Do if you are Worried that a Child is Being Abused. Department of Health May 2003
[14] www.doh.gov.uk/safeguardingchildren/index.htm

charge. Such judgements should always be recorded and shared a member of the senior management team and with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably.

Adults should always consider whether their actions are warranted, proportionate and safe and applied equitably.

- *report any actions which could be mis -interpreted to their senior manager*
- *always discuss any misunderstanding, accidents or threats with a senior manager*
- *record any areas of disagreement about course of action taken and if necessary referred to a higher authority*
- *ensure they have copies of records which confirm decisions, discussions and reasons why actions were taken.*

6. Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all adults working in education settings are in positions of trust in relation to the young people in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.[15]
A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

Where a person aged 18 or over is in a specified position of trust[16] with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

This means that adults should not:

- *use their position to gain access to information for their own or others' advantage*
- *use their position to intimidate, bully, humiliate, threaten, coerce or undermine pupils*
- *use their status and standing to form or promote relationships which are of a sexual nature, or which may become so*

[15] Caring for Young People and the Vulnerable. Guidance for Preventing Abuse of Trust Home Office
[16] Sexual Offences Act 2003.Sect 16-19 re-enacts and amends offence of abuse of position of trust

7. Propriety and Behaviour

All adults working with pupils have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils or students public in general and all those with whom they work.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in their workplace or indicate an unsuitability to work with pupils. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Adults in contact with pupils should therefore understand and be aware, that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.

The behaviour of an adult's partner or other family members may raise similar concerns and require careful consideration by an employer as to whether there may be a potential risk to pupils in the workplace.

This means that adults should not:

- *behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model.*
- *make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such*

This means that adults should:

- *be aware that behaviour in their personal lives may impact upon their work with pupils*
- *follow any codes of conduct deemed appropriate by their school/service*
- *understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with pupils*

8. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However adults should dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work.

Adults who work with pupils should ensure they are dressed appropriately for the tasks and the work they undertake.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

This means that adults should wear clothing which:

- *is appropriate to their role*
- *is not likely to be viewed as offensive, revealing, or sexually provocative*
- *does not distract, cause embarrassment or give rise to misunderstanding*
- *is absent of any political or otherwise contentious slogans*
- *is not considered to be discriminatory and is culturally sensitive*

9. The Use of Personal Living Space[17]

This means that adults should:

[17] See also Section 13 Social Contact

No child or young person should be in or invited into, the home[18] of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers and a senior manager or Headteacher.

It is not appropriate for any school/service to expect or request that private living space be used for work with pupils. Neither is it appropriate for school authorities to expect or request that private living space be used to see pupils for e.g. discussion of reports, academic reviews, tutorials, pastoral care or counselling. If these activities are required, management should ensure that appropriate accommodation is found elsewhere in the school.

Under no circumstances should pupils assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.

- *be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations*
- *challenge any request for their accommodation to be used as an additional resource for the school or school/service*
- *be mindful of the need to maintain professional boundaries*
- *refrain from asking pupils/students to undertake personal jobs or errands*

10. Gifts, Rewards and Favouritism

All adults should be aware of their school or school/service guidance on rewards including arrangements for the declaration of gifts received and given.

The giving of gifts or rewards to pupils should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, recorded and discussed with senior manager and the parent or carer.

It is acknowledged that there may specific occasions when adult working with a child or young person may consider it appropriate to give a child or young person a small personal gift if insignificant value. This is only acceptable practice where, in line with the agreed policy, the adult has first discussed the giving of the gift and the reason for it, with the Headteacher, senior manager and the parent or carer and the action is

This means that adults should:

- *be aware of their school//service's policy on the giving and receiving of gifts*
- *ensure that gifts received or given in situations which may be misconstrued are declared*
- *generally, only give gifts to an individual young person as part of an agreed reward system*
- *where giving gifts other than as above, ensure that these are of insignificant value*
- *ensure that all selection processes which concern pupils are fair and that wherever practicable these are undertaken and agreed by more than one member of staff*

[18] This includes any home or domestic settings used or frequented by the adult

recorded. Any gifts should be given openly and not be based on favouritism. Adults need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or 'groom' [19] a young person.

Staff should exercise care when selecting pupils for school teams, productions, trips and/or specific work tasks in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, agreed criteria.

Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

11. Infatuations

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

An adult, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with a Headteacher, senior manager and parent/carer so appropriate action can be taken to avoid any hurt, distress or embarrassment.

This means that adults should:

- *report and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation with a member of staff*
- *always acknowledge and maintain professional boundaries*

[19] 'grooming' – the act of gaining the trust of a child so that sexual abuse can take place.

12. Communication with Pupils *(including the Use of Technology)*

In order to make best use of the many educational and social benefits of new technologies, pupils need opportunities to use and explore the digital world, using multiple devices from multiple locations. It is now recognised that that e.safety risks are posed more by behaviours and values than the technology itself.[20] Adults working in this area must therefore ensure that they establish safe and responsible online behaviours. This means working to local and national guidelines on acceptable user policies.[21] These detail the way in which new and emerging technologies may and may not be used and identify the sanctions for misuse. Learning Platforms are now widely established and clear agreement by all parties about acceptable and responsible use is essential.

Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to pupils including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with senior management and parents/carers. E-mail or text communications between an adult and a child young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites.

Internal e-mail systems should only be used in accordance with the school/service's policy.

This means that schools/services should:

- *have in place an Acceptable Use policy (AUP)*
- *continually self-review e.safety policies in the light of new and emerging technologies*
- *have a communication policy which specifies acceptable and permissible modes of communication*

This means that adults should:

- *ensure that personal social networking sites are set at private and pupils are never listed as approved contacts*
- *never use or access social networking sites of pupils.*
- *not give their personal contact details to pupils, including their mobile telephone number*
- *only use equipment e.g. mobile phones, provided by school/service to communicate with children, making sure that parents have given permission for this form of communication to be used*
- *only make contact with children for professional reasons and in accordance with any school/service policy*
- *recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible*
- *not use internet or web-based communication channels to send personal messages to a child/young person*

[20] AUPs in Context: Establishing safe and responsible online behaviours
[21] www.becta.org.uk/publications/aupsincontext

Further information can be obtained from
http://www.becta.org.uk/

13. Social Contact

Adults should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement in making a response. There will be occasions when there are social contacts between pupils and staff, where for example the parent and teacher are part of the same social circle. These contacts however, will be easily recognised and openly acknowledged.

Nevertheless, there must be awareness on the part of those working with children and young people that some social contacts, especially where these are not common knowledge can be misconstrued as being part a grooming process. This can also apply to social contacts made through outside interests or through the staff member's own family.
It is recognised that staff can support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the staff member for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.

This means that adults should:

- *have no secret social contact with pupils or their parents*
- *consider the appropriateness of the social contact according to their role and nature of their work*
- *always approve any planned social contact with children or parents with senior colleagues,*
- *advise senior management of any social contact they have with a child or a parent with who whom they work, which may give rise to concern*
- *report and record any situation, which may place a child at risk or which may compromise the school/service or their own professional standing*
- *be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with line manager.*
- *understand that some communications may be called into question and need to be justified.*

14. Sexual Contact

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with pupils. Intimate or sexual relationships between children/young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action. All children and young people are protected by specific legal provisions in this respect regardless of whether the child or young person

This means that adults should not:

- *have sexual relationships with pupils*
- *have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact*
- *make sexual remarks to, or about, a child/young person*
- *discuss their own sexual relationships with or in the presence of pupils*

consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children'[22], defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Adults should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

This means that adults should:

- *ensure that their relationships with pupils clearly take place within the boundaries of a respectful professional relationship*
- *take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.*

15. Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Appropriate physical contact in schools will occur most often with younger pupils.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore, use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and

This means that adults should:

- *be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described*
- *never touch a child in a way which may be considered indecent*
- *always be prepared to report and explain actions and accept that all physical contact be open to scrutiny*
- *not indulge in horseplay*
- *always encourage children, where possible, to undertake self-care tasks independently*
- *work within Health and Safety regulations*
- *be aware of cultural or religious views about touching and always be sensitive to issues of gender*
- *understand that physical contact in some circumstances can be easily misinterpreted*

This means that schools/services should:

[22] Working Together to Safeguard Children .A guide to interagency working to safeguard and promote the welfare of children HM Government 2006

circumstances should be recorded as soon as possible in the school's incident book and, if appropriate, a copy placed on the child's file.

Physical contact, which occurs regularly with an individual child or young person, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

The general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each child. Children with special needs may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

It is recognised that some children may seek inappropriate physical contact. Adults should be particularly aware of this especially when it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with a senior manager and the parent/carer.

16. Other Activities that require Physical Contact

Some adults who work in certain settings, for example

This means that adults should:

- *ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management*
- *make adults aware of relevant professional or school/service guidance in respect of physical contact with children and meeting medical needs of pupils where appropriate*
- *be explicit about what physical contact is appropriate for adults working in their setting*
- *provide staff, on a "need to know" basis, with relevant information about vulnerable pupils in their care*
- *make staff aware of most recent government guidance in respect of physical contact with pupils[23] and meeting medical needs of children and young people in school[24].*

[23] Section 93 of the Education and Inspections Act 2006
[24] Managing Medicines in schools and early years settings: DCSF/Department of Health 2005

sports, drama or outdoor activities or teach specific subjects such as PE or music, will have to initiate some physical contact with children, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear to the parent/carer and once agreed, should be undertaken with the permission of the child/young person. Contact should be relevant to their age or understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

Guidance and protocols around safe and appropriate physical contact are provided by national school/service, for example sports governing bodies or major arts school/service, or the school employing school/service and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager and parent or carer.

It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers, pupils informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

- *treat children with dignity and respect and avoid contact with intimate parts of the body*
- *always explain to a child the reason why contact is necessary and what form that contact will take*
- *seek consent of parents where a child or young person is unable to do so because of a disability.*
- *consider alternatives, where it is anticipated that a pupil might misinterpret any such contact,*
- *be familiar with and follow recommended guidance and protocols*
- *conduct activities where they can be seen by others*
- *be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact*

This means that schools/services should:

- *have up to date guidance and protocols on appropriate physical contact in place that promote safe practice and include clear expectations of behaviour and conduct.*
- *ensure that staff are made aware of this guidance and that safe practice is continually promoted through supervision and training.*

17. Behaviour Management

All pupils have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

Adults should not use any form of degrading treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Any sanctions or rewards used should be part of a behaviour management policy which is

This means that adults should:

- *not use force as a form of punishment*
- *try to defuse situations before they escalate*
- *inform parents of any behaviour management techniques used*
- *adhere to the school/service's behaviour management policy*

widely publicised and regularly reviewed.

The use of corporal punishment is not acceptable and is unlawful in schools. Whilst there may a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those adults who work with or on behalf of pupils.

Where children display difficult or challenging behaviour, adults must follow the behaviour policy outlined by their school or service and use strategies appropriate to the circumstance and situation. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

Where a child has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the behaviour management policy of the school/service.

- *be mindful of factors which may impact upon a child or young person's behaviour e.g. bullying, abuse and where necessary take appropriate action*

This means that schools/services should:

- *have in place appropriate behaviour management policies*
- *where appropriate, develop positive handling plans in respect of an individual child or young person.*

18. Use of Control and Physical Intervention

There are circumstances in which adults working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions. This is a complex area and adults and school/service must have regard to legislation[25] and government guidance[2627] in the development and implementation of their own policies and practice.

The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned

This means that adults should:

- *adhere to the school/service's physical intervention policy*
- *always seek to defuse situations*
- *always use minimum force for the shortest period necessary*
- *record and report as soon as possible after the event any incident where physical intervention has been used.*

This means that schools/services should:

- *have a policy on the use of physical intervention in place that complies with government guidance and legislation and*

[25] Education and Inspections Act 2006 (93)
[26] The use of force to control or restrain pupils: non statutory guidance for schools in England (DCSF 2007)
[27] Screening and searching pupils for weapons: guidance for school staff (DCSF 2007)

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed in line with recommended policy and practice.

Under no circumstances should physical force or intervention be used as a form of punishment. The duty of care which applies to all adults and school/service working with pupils requires that reasonable measures are taken to prevent children being harmed. The use of unwarranted physical force is likely to constitute a criminal offence.

In settings where restrictive physical interventions may need to be employed regularly, i.e. where adults are working with children with extreme behaviours associated with learning disability or autistic spectrum disorders, the employer should have a policy on the use of such intervention, as part of a wider behaviour management policy. Individual care plans, drawn up in consultation with parents/carers and where appropriate, the child, should set out the strategies and techniques to be used and those which should be avoided. Risk assessments should be carried out where it is foreseeable that restrictive physical intervention may be required.

In all cases where physical intervention is employed the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the child or young person. The parents/carers should be informed the same day.

describes the context in which it is appropriate to use physical intervention
- *ensure that an effective recording system is pace which allows for incidents to be tracked and monitored*
- *ensure adults are familiar with the above*
- *ensure that staff are appropriately trained*

19. Children and Young People in Distress

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Where an adult has a particular concern about the need to provide this type of care and reassurance, or is

This means the adult should:

- *consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way*
- *be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances*
- *follow professional guidance or code of practice*

concerned that an action may be misinterpreted, this should be reported and discussed with a senior manager and parents/carers.

- *never touch a child in a way which may be considered indecent*
- *record and report situations which may give rise to concern from either party*
- *not assume that all children seek physical comfort if they are distressed*

20. Intimate Care

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to Headteacher or senior managers and parents/carers.

All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

The views of the child should be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child, parents/carers and the school/service must be negotiated and recorded.

This means that adults should:

- *adhere to the school/service's intimate care guidelines or code of practice*
- *make other staff aware of the task being undertaken*
- *explain to the child what is happening*
- *consult with senior managers and parents/carers where any variation from agreed procedure/care plan is necessary*
- *record the justification for any variations to the agreed procedure/care plan and share this information with parents*
- *ensure that any changes to the agreed care plan are discussed, agreed and recorded.*

21. Personal Care

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be

This means that adults should:

- *avoid any physical contact when children are in a state of undress*
- *avoid any visually intrusive behaviour*
- *where there are changing rooms announce their intention of*

appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils with whom they work.

entering

This means that adults should not:

- *change in the same place as children*
- *shower or bathe with children*
- *assist with any personal care task which a child or young person can undertake by themselves*

22. First Aid and Administration of Medication

Health and safety legislation places duties on all employers to ensure appropriate health and safety polices and equipment are in place and an appropriate person is appointed to take charge of first-aid arrangements. Any employee may volunteer to undertake this task but it is not a contractual requirement and appropriate training should be given before an individual takes on a role which may require administering first aid or medication.

Some pupils may need medication during school hours. In circumstances where children need medication regularly a health care plan should be drawn up to ensure the safety and protection of pupils and staff. With the permission of parents, children should be encouraged to self administer medication or treatment including, for example any ointment, sun cream or use of inhalers.

If a member of staff is concerned or uncertain about the amount or type of medication being given to a pupil, this should be discussed with the appropriate senior colleague at the earliest opportunity. When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken. Parents should always be informed when first aid has been administered.

There should be due regard to current guidance.[28,29,]

This means that schools/services should:

- *ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention*
- *ensure there are trained and named individuals to undertake first aid responsibilities*
- *ensure training is regularly monitored and updated*
- *always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication*

This means that adults should:

- *adhere to the school/service's policy for administering first aid or medication*
- *comply with the necessary reporting requirements*
- *make other adults aware of the task being undertaken*
- *explain to the child what is happening.*
- *always act and be seen to act in the child's best interests*
- *report and record any administration of first aid or medication*
- *have regard to any health plan which is in place*
- always ensure that an

[28] DfES/DOH Managing Medicine in Schools and Early Years Ref 1448-2005 DCL-EN March 2005
[29] DfES Guidance for First Aid in School 1988. http://www.teachernet.gov.uk/wholeschool/healthandsafety/firstaid/

appropriate health/risk assessment is undertaken prior to undertaking certain activities

23. One to One Situations

Every organisations working with or on behalf of children and young people should consider one to one situations when drawing up their policies. This includes schools and other education settings.

It is not realistic to state that one to one situations should never take place. It is however, appropriate to state that where there is a need, agreed with a senior manager and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. Adults should be offered training and guidance in the use of any areas of the workplace which may place themselves or children in vulnerable situations.

One to one situations have the potential to make child/young person more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of pupils and the adults who work with them.

There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the child/young person and the individual worker and any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with pupils away from the school premises should not be permitted unless approval is obtained from their parent and the Headteacher or other senior colleague with delegated authority.

This means that adults should:

- *ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed.*
- *avoid meetings with a child or young person in remote, secluded areas,*
- *always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by*
- *avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy*
- *always report any situation where a child becomes distressed or angry to a senior colleague*
- *carefully consider the needs and circumstances of the child/children when in one to one situations*

24. Home Visits

All work with pupils and parents should, wherever possible, be undertaken in the school or other recognised workplace, There are however occasions, in response to urgent or specific situations where it is necessary to make one-off or regular home visits.

In these circumstances it is essential that appropriate

These means that adults should:

- *agree the purpose for any home visit with senior management, unless this is an acknowledged and integral part of their role e.g. home tutors*
- *adhere to agreed risk management strategies*

policies and related risk assessments are in place to safeguard pupils and the adults who work with them.

A risk assessment should include an evaluation of any known factors regarding the child/young person, parents and others living in the household. Risk factors such as hostility, child protection concerns, complaints or grievances can make adults more vulnerable to an allegation. Specific consideration should be given to visits outside of 'office hours' or in remote or secluded locations. Following an assessment, appropriate risk management measures should be in place before visits are agreed. Where little or no information is available, visits should not be made alone.

Where a programme of work is to be undertaken in the home an appropriate works space should be provided and a written work plan/contract should be agreed with the pupil and parent. This should include: clear objectives; content; timing; and duration of sessions; ground-rules; child protection and confidentiality statements. The plan should take into account the preferences of pupil and parent. There should also be an agreement that the parent or other suitable adult will remain in the home throughout the session.

Where the situation is such that changes in agreed work arrangements are required, a quick assessment will be necessary to determine if the session can continue. The Headteacher or line manager should then be informed as soon as is practically possible. Emergency situations should be reported to the police or social care and to the Headteacher/parent as appropriate.

- *always make detailed records including times of arrival and departure and work undertaken*
- *ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate action is taken*
- *never make a home visit outside agreed working arrangements*

This means that employers should:

- *ensure that they have home visit and lone-working policies of which all adults are made aware. These should include arrangements for risk assessment and management*
- *ensure that all visits are justified and recorded*
- *ensure that adults are not exposed to unacceptable risk*
- *ensure that adults have access to a mobile telephone and an emergency contact person*

25. Transporting Pupils

In certain situations e.g. out of school activities, staff or volunteers may agree to transport children. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.

This means that all school/service:

- *should have appropriate policies for transporting pupils*

This means that adults should:

- *ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive*
- *be aware that the safety and*

There will be occasions when adults are expected or asked to transport children as part of their duties. Adults, who are expected to use their own vehicles for transporting children should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. Adults should also be aware of current legislation and adhere to the use of car seats for younger children. Where adults transport children in a vehicle which requires a specialist license/insurance e.g. PCV or LGV[30]- staff should ensure that they have an appropriate licence and insurance to drive such a vehicle.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

26. Educational Visits and After-School Activities

Adults should take particular care when supervising pupils on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries. .

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.

welfare of the child is their responsibility until they are safely passed over to a parent/carer
- *record details of the journey in accordance with agreed procedures*
- *ensure that their behaviour is appropriate at all times*
- *ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven*
- *ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned*

This means that adults should:

- *always have another adult present in out of workplace activities, unless otherwise agreed with a senior manager*
- *undertake risk assessments in line with their school/service's policy where applicable*
- *have parental consent to the activity*
- *ensure that their behaviour remains professional at all times(see section 7)*
- *never share beds with a child/pupils.*
- *not share bedrooms unless it involves a dormitory situation and the arrangements have been*

[30] For further information see www.dvla.gov.uk

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace.

previously discussed with senior manager, parents and pupils

27. Photography and Videos

Working with pupils may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well being of pupils. Informed written consent from parents or carers and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for adults to take photographs of children for their personal use.

It is recommended that when using a photograph the following guidance should be followed:

- if the photograph is used, avoid naming the pupil
- if the pupil is named, avoid using their photograph
- schools should establish whether the image will be retained for further use
- images should be securely stored and used only by those authorised to do so.

This means that adults should:

- *be clear about the purpose of the activity and about what will happen to the images when the activity is concluded*
- *be able to justify images of children in their possession*
- *avoid making images in one to one situations or which show a single child with no surrounding context*
- *ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed.*
- *only use equipment provided or authorised by the school*
- *report any concerns about any inappropriate or intrusive photographs found*
- *always ensure they have parental permission to take and/or display photographs*

This means that adults should not:

- *display or distribute images of children unless they have consent to do so from parents/carers*
- *use images which may cause distress*
- *use mobile telephones or any other similar devices to take images of children*
- *take images 'in secret', or taking images in situations that may be construed as being secretive.*

28. Access to Inappropriate Images and Internet Usage

There are no circumstances that will justify adults

This means that schools/services should

possessing indecent images of children. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children is illegal. This will lead to criminal investigation and the individual being barred from working with pupils, if proven.

Adults should not use equipment belonging to their school/service to access adult pornography; neither should personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children.

Adults should ensure that pupils are not exposed to any inappropriate images or web links. School/service and adults need to ensure that internet equipment used by children have the appropriate controls with regards to access. e.g. personal passwords should be kept confidential.
Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Adults should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

- *have clear e-safety policies in place about access to and use of the internet*
- *make guidance available to both adults and pupils about appropriate usage.*

This means that adults should:

- *follow their school/service's guidance on the use of IT equipment*
- *ensure that children are not exposed to unsuitable material on the internet*
- *ensure that any films or material shown to pupils are age appropriate*

29. Overnight Supervision and Examinations

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances, staff may be asked to volunteer to supervise students perhaps in their own homes.

Most Local Authorities, professional bodies and teaching unions do not endorse this practice. Where there are no staff volunteers, the examination awarding bodies allow for alternative supervisory arrangements to be made.

This means that:

- *a full health and safety risk assessment should have been undertaken*
- *all members of the household should have the appropriate checks made.*
- *all arrangements should be made in partnership and agreement with the student and parents/carers*
- *arrangements involving one to one supervision should be avoided wherever possible.*
- *staff should have regard to any guidance that exists*
- *as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision*

- *whenever possible, independent oversight of arrangements should be made*
- *any situation which gives rise to complaint, disagreement or misunderstanding should be reported*
- *LEAs and schools should ensure that all arrangements reflect a duty of care towards pupils and staff*

30. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied, ie drama

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

Care should also be taken to abide by the governing body's required policy on sex and relationships education and the wishes of parents. Parents have the right to withdraw their children from all or part of any sex education provided (but not from the biological aspects of human growth and reproduction necessary under the science curriculum)

This means that adults should:

- *have clear written lesson plans*
- *take care when encouraging pupils to use self expression, not to overstep personal and professional boundaries*
- *be able to justify all curriculum materials and relate these to clearly identifiable lessons plans.*

This means that adults should not:

- *enter into or encourage inappropriate discussions about sexual activity or any behaviours which may offend or harm others*

31. Whistle blowing

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion. Each employer should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998. Adults who use whistleblowing procedure should be made aware that their employment rights are protected.

This means that schools/services should:

- *ensure they have appropriate whistle-blowing policies in place*
- *ensure that they have clear procedures for dealing with allegations against staff which are in line with their Local*

Adults should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

Safeguarding Children Board's procedures.

This means that adults should:

- *report any behaviour by colleagues that raises concern regardless of source*

32. Sharing Concerns and Recording Incidents

Individuals should be aware of their school/service's child protection procedures, including procedures for dealing with allegations against adults. All allegations must be taken seriously and properly investigated in accordance with local procedures and statutory guidance. Adults who are the subject of allegations are advised to contact their professional association.

In the event of any allegation being made, to someone other than a manager, information should be clearly and promptly recorded and reported to a senior manager without delay.

Adults should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils so that appropriate support can be provided or action can be taken.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of pupils.

This means that adults:

- *should be familiar with their school/service's system for recording concerns*
- *should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace*

This means that schools/services:

- *should have an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace*

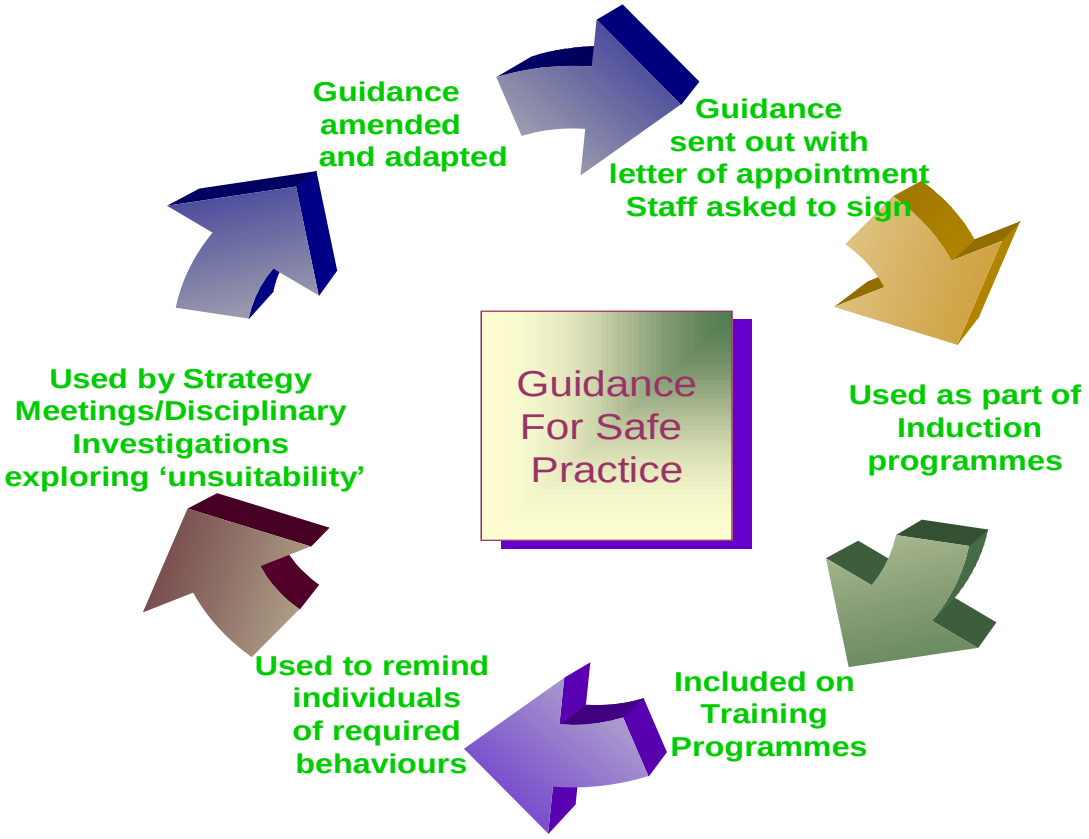
APPENDIX 1

This (Education) document has now been adapted for use by a generic audience and other versions are being developed which relate to specific disciplines/agencies.



APPENDIX 2

This generic document can be used to support safer recruitment and selection practices, induction and on-going training programmes and where necessary, disciplinary and child protection procedures.



You can also get this information in other formats. Please phone Customer Services on 0151 443 3197, or email customerservices@knowsley.gov.uk