



Callington Community  
College

# Child Protection & Safeguarding Policy

September 2018

Version	Date	Review Date
Sep 2018	07/09/2018	05/09/2019
<b>Originator:</b> P. Mathieson	<b>Authorised by CCC Governors:</b> 14/09/2018	

- This policy was adopted by the LGB on **14 Sept 2018**
- The policy was reviewed and revised on **7th Sept 2018** to reflect updated statutory guidance from the DfE, Keeping Children Safe in Education Sept 2018
- The policy will be reviewed: **Sept 2019 (or earlier if legislation changes)**
- The Designated Safeguarding Lead (DSL) is: **Mrs Paula Mathieson**
- The officer with responsibility to cover for the Designated Safeguarding Lead is: **Miss Gemma Parker**
- The Single Point of Contact for the Prevent agenda is: **Mrs Paula Mathieson**
- The name of the Designated Teacher for Children in Care is: **Mrs Paula Mathieson**
- The named Member of the Governing Body with responsibility for safeguarding is: **Dr Jon Tilbury**

## 'At A Glance' Key Contacts and Personnel

Role	Name	Contact
Designated Safeguarding Lead	Mrs Paula Mathieson	01579 383292 (ext 302)
Senior Deputy Designated Safeguarding Lead	Miss Gemma Parker	01579 383292 (ext 370)
Safeguarding Governor	Dr Jon Tilbury	jtilbury@callingtoncc.net
Deputy Safeguarding Governor	Mr Charles Pitman	cpitman@callingtoncc.net
Local Authority designated Officer (LADO)	Cornwall LADO	01872 326536
Multi Agency Referral Unit (MARU)	MultiAgencyReferralUnit@cornwall.gscx.gov.uk	0300 123 1116 Out of hours: 01208 251300
Local Safeguarding Children's Board (LSCB) - Safeguarding Partnership for Cornwall and the Isles of Scilly		01872 327225
Cornwall Early Help Hub	Helpdesk	01872 322277
Devon and Cornwall Police	Sgt Aaron Ward 101@dc.police.uk	101
NSPCC	help@nspcc.org.uk	0808 800 5000
NSPCC - Whistleblowing Advice Helpline	help@nspcc.org.uk	0800 028 0285

**This policy should also be read in conjunction with and alongside our other school adopted policies.**

## **1. Meeting your communication needs**

We want to ensure that your needs are met. If you would like this information on audio type, in Braille, large print, any other format or interpreted in a language other than English, please contact the PA to the Principal.

## **2. Purpose of Policy**

The purpose of the Child Protection and Safeguarding Policy is to provide a secure framework for the workforce in safeguarding and promoting the welfare of those students who attend our College. The policy aims to ensure that:

- All our students are safe and protected from harm;
- Other elements of provision and policies are in place to enable students to feel safe and adopt safe practices; and
- Staff, students, governors, visitors, volunteers and parents are aware of the expected behaviours and the College's legal responsibilities in relation to safeguarding and promoting the welfare of all our students.
- This policy also develops procedures and good practice within our College, to ensure that each person and agency can demonstrate that there is an understanding of the duty to safeguard and promote the welfare of children and young people including those who are vulnerable. It provides evidence of how this will be implemented within our College and within multi-agency working arrangements.

## **3. Policy Statement**

This policy has been developed in accordance with the principles established by the Children Act 1989, the Education Act 2002 and the Children Act 2004 and in line with government publications and local guidance.

The Governors of Callington Community College take seriously their responsibility under Section 157 of the Education Act 2002 to safeguard and promote the welfare of children; and to work together with other agencies to ensure adequate arrangements within our College to identify, assess, and support those children who are suffering harm.

Where a child is in immediate danger or at risk of suffering significant harm, action will be taken to protect that child. Such action will involve a referral to social care and/or the Police.

Action will also be taken to promote the welfare of a child in need of additional support, following Early Help processes and referral thresholds as set by the Local Safeguarding Children's Board<sup>1</sup>.

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<sup>1</sup> Safeguarding (as defined in the Joint Inspector's Safeguarding report) is taken to mean "All agencies working with children, young people and their families take all reasonable measures to ensure that the risk of harm to children's welfare are minimised" and "where there are concerns about children and young people's welfare, all agencies take all appropriate actions to address those concerns, working to agreed local policies and procedures in full partnership with other agencies".

## 4. Ethos

Improving outcomes for all children and young people underpins all of the development and work within our College.

Safeguarding is everyone's responsibility and as such our College aims to create the safest environment within which every student has the opportunity to achieve. Our College recognises the contribution it can make in ensuring that all registered students or others who use our College feel that they will be listened to and appropriate action taken. We will do this by working in partnership with other agencies and seeking to establish effective working relationships with parents, carers and other colleagues to develop and provide activities and opportunities throughout our curriculum that will help to equip our children with the skills they need. This will include materials and learning experiences that will encourage our children to develop essential life skills and protective behaviours.

## 5. Governing Board Responsibilities

Our Governing Board has a legal responsibility to make sure that the College has an effective Safeguarding Policy and procedures in place and monitors that the College complies with them. The Governing Board has appointed a Designated Safeguarding Lead (DSL) who has overall responsibility for dealing with all safeguarding issues in our College. The College will ensure that there will always be cover for the role of DSL<sup>2</sup>.

Our Governing Board recognises that for this policy to be effective, it is essential that staff have an understanding of what safeguarding is, know that 'safeguarding is everybody's responsibility', know how to access safeguarding information, know of any possible contribution that they may be required to make to safeguard children, young people and vulnerable adults and how to access further advice, support or services.

## 6. Responsibilities of the Designated Safeguarding Lead (DSL)

We will follow guidance set out in Keeping Children Safe in Education September 2018 and the South West Child Protection Procedures ([www.swcpp.org.uk](http://www.swcpp.org.uk)). We will also take account of both national guidance issued by the Department for Education and local guidance.

Our Designated Safeguarding Lead (DSL) is an appropriately trained senior member of staff who has the status and authority within the College to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other staff.

In addition to the DSL at Callington Community College, we also have a team of 5 staff who have been appropriately trained to deal with safeguarding concerns. Each member of the team has a role within the safeguarding team:

- Senior Deputy Designated Safeguarding Lead
- SEN Safeguarding Officer
- Associate Lead Safeguarding Officers (x 2)
- HR/ Safer Recruitment Safeguarding Officer

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<sup>2</sup> DfE Keeping Children Safe in Education September 2018

All child protection concerns WILL be reported to the appropriate authority by our DSL. In the absence of our DSL, cover will be provided by the Deputy DSL or another appropriately trained member of staff.

The DSL Lead will liaise with the local authority and agencies in line with Working Together to Safeguard Children.

The DSL will ensure their training is refreshed annually – updating skill set as new safeguarding developments arise.

There is a designated teacher with responsibility for children in care who has completed the necessary training. Their role is to promote the educational achievements of the young people and liaise with Virtual School heads to ensure students receive the correct funding to best meet their needs.

This policy recognises the possible barriers which can exist for students with special educational needs. The DSL and Safeguarding team are alert to this and liaise closely with the SENDCo.

## **7. Whole College and Staff Responsibilities**

Our College recognises that safeguarding is not just about protecting children from deliberate harm. It relates to aspects of College life including: students' health and safety; the use of reasonable force; meeting the needs of students with medical conditions; providing first aid; educational visits; intimate care; internet or e-safety; appropriate arrangements to ensure College security, taking into account the local context.

Additionally, we recognise that safeguarding issues can involve a range of potential issues such as peer on peer abuse, substance misuse, racist and homophobic or transphobic abuse, truanting, domestic violence, sexual exploitation, female genital mutilation, extremist behaviour and radicalisation, forced marriage, modern slavery and child criminal exploitation: county lines.

Children can abuse other children. This is generally referred to as Peer on peer abuse and is most likely to include, but not limited to: bullying, including cyberbullying, gender based violence/sexual assaults and sexting. Acknowledging that Peer on Peer abuse can take many forms, for the purpose of this policy we have used the description of harmful sexual behaviour as one where children and young people engage in sexual discussions or activities that are inappropriate for their age or stage of development, often with other individuals who they have power over by virtue of age, emotional maturity, gender, physical strength, or intellect and where the victim in this relationship has suffered a betrayal of trust. This behaviour could range from sexting, using explicit words and phrases, to sex with other children or adults.

Staff are mindful of the different gender issues of peer on peer abuse such as girls being sexually touched or assaulted or boys being subjected to initiating/hazing types of violence.

The College will search, screen and confiscate in order to investigate allegations of peer of peer abuse. All incidents of abuse will be reported to the Multi Agency Referral Unit and/or Police.

We recognise that there are also issues which may be specific to a local area or population, for example gang activity and youth violence. We are also aware of widespread forms of harm and the exploitation of children during this process.

All our staff maintain an attitude of 'it can happen here' and are aware of the signs and indicators of abuse.

All members of staff have a responsibility to provide a safe environment in which students can learn.

Our staff recruitment policy and induction process includes information on our arrangements and systems for child protection, the code of conduct and details of the Designated Safeguarding Lead (DSL).

All members of staff are provided with opportunities to receive appropriate training which is regularly updated, in order to develop their understanding of the signs and indicators of abuse and of the College's Child Protection Procedures. In addition to training, staff receive regular safeguarding and child protection updates to help provide them with relevant knowledge and skills to safeguard children effectively.

In conjunction with this policy, all members of staff are provided with, and are required to read, the Department for Education statutory guidance as outlined in Part 1 of '**Keeping Children Safe in Education September 2018**'.

All members of staff, volunteers and governors know how to respond to a student who discloses abuse, or for whom they have a concern, and the procedure to be followed in appropriately sharing a concern of possible abuse or a disclosure of abuse.

All parents and carers are made aware of the College's responsibilities in regard to child protection procedures through publication of the College's Child Protection and Safeguarding Policy.

When services are delivered by a third party or agency, education or otherwise, on the College site, we will follow the requirements of the Disclosure and Barring Service and check that the person presenting themselves is the same person on whom appropriate checks have been made<sup>3</sup>.

Our Lettings and Visitors' policy will seek to ensure the suitability of adults working with and in the presence of children at any time. Community users organising activities for children are aware of and understand the need for compliance with the College's child protection guidelines and procedures. We will carry out appropriate vetting checks on visiting speakers as required by the Prevent Agenda<sup>4</sup>.

Our College operates safer recruitment procedures including making sure that:

- Statutory duties to undertake required checks on staff who work with children are complied with in line with the Disclosure and Barring Service requirements for Regulated Activity; Teachers' Prohibition Orders; the Child Care Act 2006 and Childcare (Disqualification) Regulations 2009

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<sup>3</sup> DfE Keeping Children Safe in Education September 2018

<sup>4</sup> DfE Guidance Prevent Duty June 2015

- Statutory guidance relating to volunteers is followed
- Recruitment panel members are properly trained<sup>5</sup>.

We hold a Single Central Record (SCR) which demonstrates we have carried out the range of checks required by law on our staff<sup>6, 7, 8, 9</sup>

Our College complies with the requirements of Keeping Children Safe in Education September 2018.

Our College complies with the requirements of the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009.

*Should we dismiss or remove a member of staff or a volunteer because they have harmed a child, or pose a risk of harm to a child or would have done so if they had not left, we will report this to the Disclosure and Barring Service (DBS) and any appropriate professional or regulatory body.*

Our safeguarding policies and procedures will be reviewed and updated annually.

**If a child makes an allegation or disclosure of abuse against an adult or other child or young person, staff will:**

- stay calm and listen carefully;
- understand the difference between a concern and immediate risk of harm, and the need to report this immediately to a DSL.
- reassure the child that s/he has done the right thing in telling you;
- not investigate or ask leading questions;
- let the child know that she/he will need to tell the DSL;
- not promise to keep what they have been told a secret;
- inform the DSL as soon as possible; and
- make a written record of the allegation, disclosure or incident which will be signed and dated using the College's safeguarding record procedure

## 8. Confidentiality and Information Sharing

Information sharing is vital to safeguarding and promoting the welfare of children and young people. A key factor identified in many serious case reviews (SCRs) has been a failure by practitioners to record information, to share, it to understand its significance and then take appropriate action<sup>10</sup>.

- We recognise that all matters relating to child protection are confidential
- The Principal or DSL will disclose personal information about a student to other members of staff on a need to know basis only

<sup>5</sup> DfE Keeping Children Safe in Education September 2018

<sup>6</sup> As required by: School Staffing (England) Regulations (2009); Education (Independent School Standards) (England) Regulations 2010; DfE Keeping Children Safe in Education Sept 2018;

<sup>7</sup> DfE Keeping Children Safe in Education September 2018 – schools must use the Employer Access Online service to check that a candidate to be employed as a teacher is not subject of a prohibition order.

<sup>8</sup> Teacher Prohibition Order

<sup>9</sup> Childcare Act 2006 and Childcare (Disqualification) Regulations 2009

<sup>10</sup> HM Gov- Information Sharing Advice for Practitioners, March 2015

- All staff are aware that they have a professional responsibility to share information with other agencies in order to safeguard children
- All staff are aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being, or that of another
- We will always undertake to share our intention to refer a child to Cornwall Council's Directorate for Education, Health and Social Care with their parents/carers, unless to do so could put the child at greater risk of harm, or impede a criminal investigation. If in doubt, we will consult with the Multi-Agency Referral Unit (MARU).

All staff have an awareness of the Early Help Hub and its role in supporting young people. The Early Help Hub is the single point of access for professionals, families and young people to access Early Help Services in Cornwall. Students identified as in need of this support are referred to Heads of Year or a Safeguarding team member for this to be actioned.

## 9. Managing Allegations against staff

We are aware of the possibility of allegations being made against members of staff or volunteers that are working with or may come into contact with children and young people whilst in our College. They can be made by children and young people or other concerned adults.

All workers in our College have been made aware of the process<sup>11</sup> to be followed if such an allegation is made and seek advice from the Local Authority Designated Officer (LADO) on 01872 326536.

In such circumstances our Principal, or Chair of Governors (if the allegation is against the Principal) will:

- Consider the safeguarding arrangements of the child or young person to ensure they are not in contact with the alleged abuser;
- Contact the parents or carers of the child/young person if advised to do so by the LADO;
- Consider the rights of the staff member for a fair and equal process of investigation;
- Ensure that the appropriate disciplinary procedure is followed, including whether suspending a member of staff from work until the outcome of any investigation is deemed necessary;
- Act on any decision made in any strategy meeting; and
- Advise the Disclosure and Barring Service (DBS) and any other appropriate regulatory or professional body where a member of staff has been disciplined or dismissed as a result of the allegations founded, or would have been if they have resigned.

## 10. Whistleblowing

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

<sup>11</sup> Outlined in Keeping Children Safe in Education September 2018, part 4.

We advise our staff of our Whistleblowing Policy and of how it can be implemented. Staff are aware of their duty to raise concerns about the attitude and actions of colleagues where these are inappropriate or unsuitable. If necessary, the member of staff will speak to the delegated 'Whistleblowing' Governor who is Dr Jon Tilbury.

The NSPCC also operate a whistleblowing helpline 0800 028 0285.

## 11. Supporting Staff

- Our staff will be advised on the boundaries of appropriate behaviour – such matters form part of our staff induction and staff have access to support and guidance when required or requested
- We recognise that staff working in the College who have become involved in the case of a child who has suffered harm, or appears likely to suffer harm, may find the situation stressful and upsetting.
- We support such staff by providing an opportunity to discuss their anxieties with the DSL, or another teacher and/or a trade union representative as appropriate.
- Our designated officers have access to support and appropriate workshops, courses or meetings as organised or recommended by the Cornwall and Isles of Scilly Safeguarding Children Board (CioSSCB), Safeguarding Standards Unit (SSU) or Local Authority (LA).

## 12. Physical Restraint

Our policy on Physical Intervention/Use of Reasonable Force is compliant with the 'Physical Restraint in Colleges' Guidance along with guidance from the Department for Education (DfE).

Wherever possible such events are recorded and signed by a witness. Staff that are likely to need to use physical intervention are appropriately trained. We understand that physical intervention of a nature that causes injury or distress to a child may be considered under child protection or disciplinary procedures.

## 13. Prevention

We recognise that the College plays a significant part in the prevention of harm to our students by providing them with effective lines of communication with trusted adults, supportive friends and an ethos of protection. Our College will support all students by:

- Establishing and maintaining an ethos, understood by all staff, which enables children to feel secure and encourages them to talk, knowing that they will be listened to.
- Promoting a caring, safe and positive environment within the College and ensuring that all children know that there is an adult in the College whom they can approach if they are worried or in difficulty.
- Providing across the curriculum, including within PSHE, opportunities which equip children with the skills they need to stay safe from harm and to know to whom they should turn for help.
- Encouraging the development of self-esteem and resilience in every aspect of College life including through the curriculum.

- Liaising and working together with all other support services and those agencies involved in the safeguarding of children.
- Ensuring that a named teacher is designated for Children in Care, (CIC) and that a list of CIC is regularly reviewed and updated. The Education Welfare Officer (EWO) for the College is made aware of all CIC in the College.
- Providing continuing support to a student who leaves the College and about whom there have been child protection concerns, by ensuring that such concerns and College records are forwarded under confidential cover to the Principal at the student's new college as a matter of urgency.
- Recognising that children come from a variety of different cultural backgrounds, the College has developed policies to ensure that we embrace diversity in religion and faith, race, ethnicity, gender and sexual orientation.
- We will include our Child Protection and Safeguarding Policy in our College website and will post copies of our policy throughout the College. We are also able to arrange for our policy to be made available to parents whose first language is not English, on request.

## 14. Training

- All members of our workforce have been provided with, and signed to say that they have read and understood, **Part 1 of Keeping Children Safe in Education September 2018**
- All members of staff and volunteers will have access to appropriate whole College safeguarding training which is **regularly updated** at least every two years. In addition to training, staff will receive regular safeguarding and child protection updates, **at least annually**, to help provide them with relevant knowledge and skills to safeguard children effectively. We will also, as part of our induction, issue information in relation to our Child Protection and Safeguarding Policy and any other policy and information related to safeguarding and promoting our children and young people's welfare to all newly appointed staff and volunteers.
- Our DSL and Safeguarding Team members will undertake further multi-agency safeguarding training in addition to the whole College training. This will be undertaken **annually** and will update their awareness and understanding of the impact of the wide agenda of safeguarding issues. It will support both the DSL and DSL Cover officers to be able to better undertake their role and support the College in ensuring our safeguarding arrangements are robust and achieving better outcomes for the students in our College.
- All Governors have read (and signed to confirm this) Keeping Children Safe in Education, Part Two, The Management of Safeguarding.
- Our Governing Board will have access to safeguarding training. Our named Governor for Safeguarding will have access to multi-agency safeguarding training at least every two years to support the Principal in managing allegations against staff and volunteers who work with children and young people and to support the annual review of this policy, in order to keep it updated in line with local and national guidance and legislation.
- At least one member of our recruitment panel will have undertaken safer recruitment training<sup>12, 13</sup>.

<sup>12</sup> School Staffing (England) Regulations 2009

<sup>13</sup> DfE Keeping Children Safe in Education September 2018

## 15. Missing Children

We will monitor unauthorised absence, particularly where children go missing on repeated occasions. We will report such absences without delay to the appropriate agencies in line with legislative and local authority requirements and agreements<sup>14</sup>.

## 16. Preventing Radicalisation

The Counter Terrorism and Security Act 2015 places a duty on all schools to prevent people being drawn into terrorism. We recognise that under this legislation our College leaders and governors must:

- Establish or use existing mechanisms for understanding the risk of extremism
- Ensure staff understand the risk and build capabilities to deal with it
- Communicate and promote the importance of the duty and
- Ensure staff implement the duty effectively

Our College recognises that radicalisation is a safeguarding issue and has clear procedures in place to assess the risk of, and protect, our students from being drawn into radicalisation. We recognise that general safeguarding principles apply to keeping children safe from the risk of radicalisation as set out in the relevant statutory guidance<sup>15</sup>.

Our College has undertaken an assessment of the risk of extremism and established appropriate procedures.

These procedures are set out in a separate Anti-Radicalisation Policy.

## 17. Female Genital Mutilation (FGM)

FGM is defined as all procedures which involve partial or total removal of the external female genitalia and/or injury to the female organs, whether for cultural or any other non-therapeutic reasons.

Staff know that they have a statutory duty to report to the Police if a disclosure of FGM has been made (in addition to liaising with the DSL).

## 18. Honour based Violence (HBV)

HBV encompasses crimes such as FGM, forced marriage and practices such as breast ironing. All forms of HBV are abuse and should be reported initially to the DSL who will then liaise with MARU/Police.

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<sup>14</sup> DfE Keeping Children Safe in Education September 2018; DfE Children Missing Education Guidance for Local Authorities September 2016

<sup>15</sup> 'Working Together to Safeguard Children 2015' and 'Keeping Children Safe in Education September 2018'

## 19. Child Sexual Exploitation (CSE)

CSE involves exploitative situations, contexts and relationships where young people (or a third person) receives 'something' (e.g. food, drugs, alcohol, cigarettes, affection, gifts or money) as a result of performing, and/or others performing on them, sexual activities. A common feature of sexual exploitation is that the victim does not recognise the coercive nature of the relationship and does not see themselves being exploited. No child can consent to their own exploitation and abuse.

At the College we aim to raise students' awareness through assemblies for all year groups and within the PSHE programme. Staff also receive specific training to alert them to the possible signs.

Where staff have concerns that a child is being sexually exploited or is at risk of sexual exploitation, such concerns will be shared with the Multi Agency Referral Unit and/or Police.

## 20. Helping children to keep themselves safe

Our children are taught to understand and manage risk through our personal, social, health and economic (PSHE) lessons and through all aspects of College life. Children are taught how to conduct themselves and how to behave in a responsible manner. Children are reminded regularly about e-safety and tackling bullying procedures.

Our College continually promotes an ethos of respect for others and students are encouraged to speak to a member of staff in confidence about any worries they may have.

## 21. First Aid Policy

We have a number of First Aid trained staff across the school. When a child is unwell, or has suffered an accident in school, or on the school grounds, a trained first aider on-call is immediately called to provide assistance and advice. All incidents are logged in accordance with our First Aid Policy.

## 22. Anti-bullying

There is a more detailed Anti-bullying policy on the school website that should be read alongside this Safeguarding Policy.

Bullying will not be tolerated and staff are aware of the procedures put in place to log an incident. Pastoral teams will be informed and appropriate action will take place. This policy also links in with our E-Safety Policy that should be read alongside to support any cyber-bullying incident to help support our approach to online safety.

## 23. Racist Incidents

Our Behaviour Policy sets out our approach to racist incidents and that serious incidents may lead to consideration under child protection procedures.

## 24. Policy Review

The Governing Body of our College is responsible for ensuring the annual review of this policy and for additional policies<sup>16</sup> that are relevant to safeguarding and child protection.

## 25. Safeguarding Guidance

The following guidance documents have been considered in the writing of this policy:

- **‘Working Together to Safeguard Children’, August 2018 (Updated)**  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419595/Working\\_Together\\_to\\_Safeguard\\_Children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf)
- **‘Keeping Children Safe in Education’, September 2018**  
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- **Disqualification under the Childcare Act 2006 and Childcare (Disqualification) Regulations August 2018 (Updated)**  
<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>
- **‘What To Do If You Are Worried A Child Is Being Abused’, March 2015**  
<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>
- **Information Sharing advice for practitioners, July 2018 (Updated)**  
<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>
- **Guidance for Safer Working Practice for those working with children and young people in education settings – October 2015**  
<http://www.safeguardingschools.co.uk/wp-content/uploads/2015/10/Guidance-for-Safer-Working-Practices-2015-final1.pdf>
- **The South West Safeguarding and Child Protection Procedures<sup>17</sup>**  
<http://www.swcpp.org.uk/>
- **Child Protection and Online Protection Agency**  
[www.ceop.org.uk](http://www.ceop.org.uk/) / [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

<sup>16</sup> DfE Policies and other documents that governing bodies/proprietors are required to have by law - <https://www.gov.uk/government/publications/statutory-policies-for-schools>

<sup>17</sup> Adopted 1st January 2008. [www.swcpp.org.uk](http://www.swcpp.org.uk)

## 26. Legislation and guidance relating to this policy

- School Standards and Framework Act 1998
- Children Act 1989
- Children Act 2004
- Working Together to Safeguard Children, August 2018 (Updated)
- Education Act 1996,
- Education Act 2002 (Section 157/175)
- Keeping Children Safe in Education, September 2018
- Disqualification under the Childcare Act 2006
- Safeguarding Vulnerable Groups Act 2010
- The School Staffing (England) Regulations 2009 (as amended)
- The Education (Independent School Standards) (England) Regulations 2010(as amended)
- The Education (Non-Maintained Special Schools) (England) Regulations 2011
- The Education (Pupil Referral Units) (Application of Enactment)(England) Regulations 2007 (as amended)
- Childcare Act 2006
- Childcare (Disqualification) Regulations 2009

## Appendix 1: The Seven Golden Rules to Sharing Information

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it - whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## Appendix 2: The General Data Protection Regulation (GDPR) and Data Protection Act 2018

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 introduce new elements to the data protection regime, superseding the Data Protection Act 1998. Practitioners must have due regard to the relevant data protection principles which allow them to share personal information,

The GDPR and Data Protection Act 2018 place greater significance on organisations being transparent and accountable in relation to their use of data. All organisations handling personal data need to have comprehensive and proportionate arrangements for collecting, storing, and sharing information.

**The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.**

To effectively share information:

- all practitioners should be confident of the processing conditions, which allow them to store, and share, the information that they need to carry out their safeguarding role. Information which is relevant to safeguarding will often be data which is considered 'special category personal data' meaning it is sensitive and personal
- where practitioners need to share special category personal data, they should be aware that the Data Protection Act 2018 includes 'safeguarding of children and individuals at risk' as a condition that allows practitioners to share information without consent
- information can be shared legally without consent, if a practitioner is unable to, cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.
- relevant personal information can be shared lawfully if it is to keep a child or individual at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental, or emotional well-being.

## Appendix 3: How to Complete a Concern Referral

### WORRIED ABOUT A YOUNG PERSON?

You have received a disclosure from the young person or you have identified behaviours/presentation that is of concern.

↓  
Are they in immediate danger/at risk of significant harm?

**YES**

Contact Paula Mathieson DSL ext: 302 or Gemma Parker SDDSL ext: 370 **URGENTLY**. If unavailable, contact Claire Merritt on ext: 253. (If you are teaching, ask someone to phone to make Paula, Gemma or Claire aware of the urgent concern).

**DO NOT HOLD ON TO THIS INFORMATION UNTIL THE FOLLOWING DAY**

Complete a Google concern form or CP concern form and pass/email it to the DSL, SDDSL or Claire Merritt in the Hambly Centre.

↓  
DSL or member of the Safeguarding Team will action same day.

**UNSURE**

Contact Paula Mathieson DSL ext: 302 or Gemma Parker SDDSL ext: 370 **URGENTLY**. If unavailable, contact Claire Merritt on ext: 253. (If you are teaching, ask someone to phone to make Paula, Gemma or Claire aware of the urgent concern).

Complete a Google concern form or CP concern form and pass/email it to the DSL, SDDSL or Claire Merritt in the Hambly Centre.

↓  
DSL or members of the Safeguarding Team will action as appropriate.

**NO**

Complete a Google concern form or CP concern form and pass/email it to Claire Merritt as soon as possible.

↓  
DSL or members of the Safeguarding Team will action as appropriate.