

LOOE COMMUNITY ACADEMY

CHILD PROTECTION - RECORD KEEPING GUIDANCE

March 2017

(Derived from the model guidance for schools in Cornwall dated Spring 2016)

CONTENTS

Section	Content
1	Purpose and framework
2	Reporting concerns
3	Recording concerns
4	Storing child protection files
5	Information Sharing
6	Transferring child protection files
7	Retention of child protection files
8	Auditing child protection files

Key Facts

- This policy was developed and adopted on 27 March 2017
- The policy will be reviewed by end of March 2018
- The Designated Safeguarding Lead (DSL) is Helen Casson
- The officer with responsibility to cover for the DSL is Heather Jenkins
- Officers trained to cover in the absence of the DSL and Cover DSL are Judy Richardson and Kate Jackman
- The name of the Designated Teacher for Children in Care is Helen Casson
- The single point of contact for the Prevent agenda is Helen Casson
- The designated lead for Child Sexual Exploitation is Helen Casson
- The named member of the Governing Body for safeguarding is Marie Long
- The Case Manager for allegations against staff (including volunteers and other adults) is Heather Jenkins
- The Case Manager for allegations against the Headteacher and governors is Marie Long
- The Academy's Whistleblowing Governor is Marie Long

Key Contacts

Helen Casson - Designated Safeguarding Lead	01503 262625
Heather Jenkins - Deputy Designated Safeguarding Lead	01503 262625
Kate Jackman or Judy Richardson - Trained Safeguarding Staff	01503 262625
Emergency Services	999
Devon and Cornwall Police	101
Cornwall Children's Social Care Multi-Agency Referral Unit (MARU)	0300 1231 116
Cornwall Children's Social Care - out of hours	01208 251 300
Cornwall Safeguarding Children Standards Unit	01872 254549

CHILD PROTECTION - RECORD KEEPING GUIDANCE

1 Purpose and framework

1.1 Learning from Serious Case Reviews¹ continues to identify the need for improved record keeping and information sharing, both within and between agencies. The purpose of this document is to ensure that child protection information is kept in an appropriate and practical way. It should be read in conjunction with the following documents:

- The South West Child Protection Procedures (SWCPP)
<http://www.online-procedures.co.uk/swcpp/>
- Working Together to Safeguard Children – March 2015 -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf
- Information Sharing Advice for Practitioners providing safeguarding services to children, young people, parents and carers – March 2015
<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>
- Keeping Children Safe in Education – September 2016
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf
- The Academy's Child Protection and Safeguarding Policy
- What to do if you're worried a child is being abused – Advice for practitioners – March 2015
<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>
- 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>

1.2 Accurate and up-to-date record keeping:

- ensures the Academy can identify causes for concern at an early stage; often it is only when a number of seemingly minor issues are taken as a whole that a safeguarding or child protection concern becomes clear.
- ensures the Academy can monitor and manage their safeguarding practices.
- provides evidence of robust and effective safeguarding practice in inspections and audits.

2 Reporting concerns

2.1 Concerns about the welfare or safety of a child may initially be raised by:

- the student themselves or another student
- a parent or carer
- a member of staff
- someone else connected to the Academy

2.2 Individuals who work with children and young people on a regular basis are in a position to monitor their welfare and safety. If a member of the Academy workforce is concerned as to the safety and welfare of a child, they have a responsibility to pass their concerns to the Designated Safeguarding Lead (DSL)² within the Academy without delay. It is recognised that while the DSL is responsible for liaison with agencies, DfE Keeping Children Safe in Education September 2016 states that **'if a child is in immediate danger or is at risk of harm, a referral should be made to children's social care and/or the police immediately. Anyone can make a referral'**.

2.3 Not all child protection concerns result in a referral. A record should be made of **anything** that gives workers cause for concern about a child or young person as well as any disclosure or allegation made.

¹ 'Child G A Serious Case Review' – East Sussex LSCB; 'The Abuse of Pupils in a first School – North Somerset; Daniel Pelka Serious Case Review, Coventry LSCB; Khyra Ishaq Serious Case Review – Birmingham LSCB

² All references throughout the document to the Designated Safeguarding Lead (DSL) also relate to any officer providing cover for the DSL.

Even if the information does not appear to be very significant on its own, it could contribute to a picture of concerns that should not be ignored.

2.4 A concern may be an observation about the behaviour or appearance of a student that initially does not seem to point to a child protection issue, but which someone feels should be reported and logged.

2.5 The Academy prospectus and website make it clear to parents, carers and students that the Academy has a duty of care and responsibility and will pass any concerns to the Multi Agency Referral Unit (MARU).

3 Recording concerns and outcomes

3.1 Recording procedures will be fully explained to all adults engaged at the Academy to ensure concerns are reported quickly and records are as concise and unambiguous as possible. The recording of a concern creates a confidential record which should be kept secure in accordance with the Academy's data protection policy.

3.2 Where a child has made a **disclosure**, a **written** factual record, using the child's own words, should be made using a report form – the Academy has invested in an online reporting system called 'My Concern' to help collate and analyse child protection and safeguarding information, Staff that cannot complete the online form should complete the paper version which is available in the staff resource room.

3.3 Professional opinion may be expressed, but should be supported by stating the facts with observations upon which the opinion is based, e.g. Jack appeared angry as he was kicking the table and swearing.

3.4 Where **no disclosure** has been made, but a member of staff has concerns regarding the welfare or well-being of a student, they should make a **written** account of such concerns using the report form – the Academy has invested in an online reporting system called 'My Concern' to help collate and analyse child protection and safeguarding information, Staff that cannot complete the online form should complete the paper version which is available in the staff resource room.

3.5 **Any concerns that a child or young person is suffering harm or at risk of harm must be reported to the Multi-Agency Referral Unit (MARU) and a child protection file opened.** In deciding whether an incident/information should be recorded as a 'note of concern' or undertaken as a child protection referral, advice can be sought from the MARU. Additionally, the Cornwall and Isles of Scilly Safeguarding Children Board (CloSSCB) Multi-Agency Threshold Guidance should be referred to – available at

<http://www.safechildren-cios.co.uk/media/10965866/Multi-Agency-Threshold-Guidance-January-2015-.pdf>

3.6 All records should be dated and signed, with the name of the signatory clearly printed.

3.7 All concerns should be passed to the DSL as soon as possible, and in any case within 24 hours. The DSL will make a professional judgment about what action needs to be taken, in accordance with the South West Child Protection Procedures (SWCPP). The DSL will record their actions on 'My Concern'.

3.8 Any handwritten notes made immediately after the event, for example a disclosure, can act as evidence of them being written at the time in any future court case. Therefore, these should not be destroyed and must be kept securely attached to the child protection concern/referral form used by the Academy.

3.9 Students should be informed that any disclosure they make will be treated sensitively but may need to be shared with other professionals if it is considered necessary to protect the child or someone else from harm.

3.10 A concern raised may not progress any further than a discussion with the DSL, or Cover DSL. If a referral is made to the MARU or the Police, a written note or a copy of the completed interagency referral form **must** be forwarded to the MARU **within 48 hours**. A copy of the referral form must be kept by the Academy in the child protection file. You are advised to FAX the referral using Secure Fax Number 01872 323653. The referral form is available on the CloSSCB website at the following link

<http://www.safechildren-cios.co.uk/health-and-social-care/childrens-services/cornwall-and-isles-of-scilly-safeguarding-children-board/policies-procedures-and-referrals/>

3.11 It is impossible to say, at the time of recording child protection concerns, who will eventually have access to it, or when. It may be consulted months or even years after it was written. Always bear in mind that someone who is a complete stranger to you and your Academy may need to read your record at some stage in the future including the child's parents or carers.

3.12 The common law of confidentiality, Data Protection and Human Rights principles must be adhered to when obtaining, processing or sharing personal or sensitive information or records. For detailed information please refer to Information Sharing Advice for Practitioners providing safeguarding services to children, young people, parents and carers – March 2015

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

3.13 Outcomes of enquiries and investigations should be clearly recorded including whether any further action is to be taken. If the outcome of a reported concern is that the situation is to be monitored, the nature and regularity of such monitoring should be outlined. If no further action was or is to be taken then this should be recorded clearly as such with a rationale for this decision.

4 Storing child protection files

4.1 A child protection record should be started for each individual child as soon as the Academy is aware of any child protection concerns about them. This may arise in a number of ways:

- If a member of staff raises a concern about the welfare or well being of a student
- If a child makes a disclosure
- If information is passed to the school by a previous school attended by the student
- If the Academy is alerted by another agency (e.g. police, health or social care) of child protection concerns about that child.

4.2 The child protection record should have a front sheet (see **Example provided in Part Four**) on the file which records the child's full name, date of birth, address and information about family members. A record should be made if any document or the complete file is removed (see **Example provided in Part Four**).

4.3 Separate files should be kept for individual siblings, cross referencing to other children in the family. Relevant, and as necessary, redacted, information should be copied and placed on each individual sibling's file.

4.4 If more than one file exists in relation to an individual child, this should be indicated on each file. Each file should be numbered and dated, and e.g. January 2015, Vol. 1 of 3.

4.5 The child protection file should contain:

- A detailed **chronology**, updated on a regular basis, at the front of the file.
- All safeguarding/concern reports, notes and correspondence referring to the child
- All child protection or concern information received from previous schools or other agencies
- Copies of all referrals to the Children's Early Help Hub, MARU, LADO or other agency or service
- Notes/minutes of any Child Protection Conferences and Core Group Meetings
- A record of regular file reviews which are undertaken and what actions arise from such reviews
- A clear record of outcomes and rationales for such outcomes

4.6 All records of child protection concerns, disclosures or allegations must be treated as sensitive information and kept together. Child protection files should be kept separately from the child's general school records. The information should only be shared with those who need to have it - see paragraph 5 below for further details. If information is removed from the file for any reason, a record should be made indicating the reason for such removal, where the information has gone, when it was removed and who removed it.

4.7 All child protection files should be kept together in a secure place e.g. a locked filing cabinet in the DSL's office. The filing system should only be accessed by the DSL.

4.8 A marker (e.g. a blue star) should be placed on the cover of the main school file for the child, indicating that there is a child protection file relating to that child. All staff should be made aware of what the symbol means. This should also serve as a reminder to transfer the child protection file if the child/young person moves to another school or FE college.

4.9 All schools must record whether the child is subject to a child protection plan or if they are a Child in Care, this can be recorded in Capita SIMS Management Information System. Additional information can also be stored in SIMS but requires schools to be able to scan and attach documents to the relevant child's record making sure the 'confidentiality' option is selected. A chronology is still a requirement of child protection files stored in this manner. For further information or assistance in recording this information please contact your SIMS Support provider.

4.10 The school may also hold other records that should be cross-referenced and referred to in a child protection file. For example, information relating to the Common Assessment Framework (CAF), early support, Special Educational Need (SEN), Early Help or Together for Families programme.

- Further local authority service information in relation to Schools, Achievement and SEN can be accessed through <http://www.cornwall.gov.uk/default.aspx?page=2285>
- Further information in relation to CAF can be accessed through <http://cornwall.childresservicesdirectory.org.uk/kb5/cornwall/fsd/site.page?id=FWDzyOLUcMw>

4.11 The use of electronic systems (including the use of cloud or web-based systems) for child protection record keeping are increasingly being considered by schools. If you are considering introducing such a system you **MUST** seek advice from your IT service provider to ensure that system security and operational practice including adherence to relevant legislation is complied with.

5 Information Sharing

5.1 The Data Protection Act 1998 is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately. 'Information Sharing Advice for Practitioners providing safeguarding services to children, young people, parents and carers – March 2015' is a vital resource to help manage issues of confidentiality and decide with whom to share information in particular circumstances.

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

5.2 The safety and welfare of a child must always be considered when making decisions about whether to share confidential information. If a student has or has had a child protection plan information should always be shared with children's social care.

5.3 When staff have information they feel needs to be shared within the school or with an external agency such as the police or social services, they should seek advice from the DSL. The DSL may consult the LADO and or the MARU.

5.4 In the vast majority of cases, the child and family's consent to sharing should be sought. If consent has been withheld this must be recorded including the reasons given for the withholding of consent. Exceptions to the requirement to gain consent are that if seeking such consent could:

- Increase the risk of harm to the child or someone else
- Undermine the prevention, detection or prosecution of a serious crime (a crime that causes or is likely to cause significant harm to a child, young person or adult)
- Interfere with any potential investigation

5.5 Any child who has a child protection file has the right to access their personal record, unless to do so would affect their health or well-being or that of another person, or would be likely to prejudice an ongoing criminal investigation

5.6 Parent/carers (i.e. those with parental responsibility in law) are entitled to see their child's child protection file, on behalf of their child, with the same exceptions applying as to the child's right to access. An older child may be entitled to refuse access to their parents. The school should take advice about information sharing with parents if they have particular concerns about doing so. However, it is generally good practice to share information held, unless there is a valid reason to withhold it, e.g. if by doing so would put the child at significant risk of harm. If a parent makes a request to access the file on the child's behalf, it should be done in writing.

5.7 The school report to the child protection conference should be shared with the parent(s) before the conference takes place unless this puts the child at further risk.

5.8 Access to the information on file should be on a need-to-know basis among the staff. This can only be decided on a case-by-case basis. The confidentiality of the child and family should be respected as far as possible, but the **welfare of the child is paramount**. It would be unlikely that every member of staff needs to know the details of a case. Generally speaking, the closer the day-to-day contact with the child, the more likely the need to know an outline of the case. Essentially, if someone receives information in *his/her professional capacity* and the person giving that information *believes* it will be treated securely, and that belief is reasonable, then the recipient of the information will be *under a duty* to treat it securely.

5.9 The names of any other children, other than the student who is the subject of the record, should be removed when disclosing records, unless consent is obtained from the individual/s concerned (or their

parent/carer on their behalf). Care should be taken to ensure all identifying information is removed from the copy of the record to be shared.

5.10 All information must be shared with the MARU and/or Police and Health, as appropriate.

5.11 Child protection information should not ordinarily be shared with agencies other than these statutory agencies e.g. information should not be released to solicitors etc. Where such a request is made advice should be sought from the school's legal advisor.

5.12 Conversations between designated personnel at different schools (e.g. sharing concerns or asking for information about sibling groups) are acceptable. Where possible, consent from parents should be sought before a conversation takes place. **Any** relevant child protection information coming to light should be carefully logged.

6 Transferring child protection files

6.1 When a student transfers from one school to another, their child protection file should be forwarded to the new school without delay, and in any case **within five school days**. Best practice would be for the DSLs of the transferring and receiving schools to make contact and discuss cases as soon as is practicable.

6.2 When a file is to be transferred, a '**Record of Child Protection File Transfer**' sheet should be completed and attached to the child protection file.

6.3 The **original** child protection records and any safeguarding file should be sent, with the transfer sheet, in a sealed envelope **under separate cover from the regular school file**. The file may be transferred by hand to the new school/college, or by secure recorded delivery or postal tracking service. Files may be transferred electronically if a secure electronic system is used.

6.4 The transferring school should keep a copy of the Record of Child Protection File Transfer until they receive a signed receipt from the school to which the file has been transferred. The transferring school should keep a record of received confirmations in a secure place.

6.5 Where a parent elects for Home Education the Local Authority Elective Home Education protocol must be followed – this is accessible through the following link <http://www.safechildren-cios.co.uk/education-and-learning/schools-and-colleges/education-welfare/elective-home-education/>

6.6 If a child has a child protection file and is educated at home, the child protection file should be sent to the Manager for Elective Home Education Room 306, Sedgemoor Centre, Priory Road, St Austell PL25 5AB following the process outlined above. The EHE service will store and transfer child protection files as detailed in this guidance.

6.7 If a child from a traveller, migrant or Roma family has a child protection file, information from the child protection file **MUST** be passed to a named person within the local authority in which they are based if their whereabouts are known. If the child is missing from education, the Children Missing from Education Officer must be notified. If the child is subject to a child protection plan, the Children's Early Help, Psychology & Social Care Services should be notified immediately.

6.8 If a child leaves your school and your school has not been informed where the child's new school will be, you must contact your Education Welfare Officer immediately³. If the child is subject to a child protection plan or if there are current child protection concerns, you must contact the MARU.

6.9 When a student at 16+ is known to transfer to an FE College, the school must follow the procedures as described above and transfer the Child Protection file to the college.

7 Retention of child protection files

7.1 The Local Authority (LA) retains information about children for many years, so anything reported to the Children's Early Help, Psychology & Social Care Services and copied to Education services will be available.

7.2 In line with the Batchelor Retention Schedule, when a child with a child protection file reaches statutory school leaving age, the last school or FE College attended should keep the child protection file until the child's 25th birthday. It should then be securely shredded. Arrangements must be made to ensure the secure storage of child protection files for this period.

³ The EWO will undertake checks and refer to the Children Missing from Education officer if the child/ren cannot be located

7.3 The Data Protection Act requires that schools, or other bodies that keep information, maintain a list of records which have been destroyed and who authorised their destruction. Members of staff should record at least:

- File reference (or other unique identifier)
- File title (or brief description)
- Number of files
- The name of the authorising officer
- Date action taken
- This could be kept in an Excel spreadsheet or other database format⁴

7.4 Please note: In 2015 the Independent Inquiry into Child Sexual Abuse (now chaired by Professor Alexis Jay), requested that all agencies, until further notice, retain everything of potential relevance to the inquiry i.e. all paper files and digital records and all other information however held. The Terms of Reference of the inquiry are extremely broad and agencies must ensure that no line of investigation is curtailed by the premature destruction of files or records that later become required as evidence.

8 Auditing child protection files

The DSL should carry out regular audits of the school's child protection files to ensure that robust records are being kept in an appropriate manner and in line with the above guidance.

⁴ Records Management Society May 2008