

## **Child Protection Policy and Guidelines**

*"All children and young people in Scotland have the right to be cared for and protected from harm and to grow up in a safe environment in which their rights and needs are respected. The welfare of children is paramount."*

*Every adult in Scotland has a role in ensuring all our children live safely and can reach their full potential.*

The National Guidance for Child Protection in Scotland outlines the collective responsibility of 'all agencies, professional bodies and services that deliver adult and or child services' to recognise and actively consider potential risks to a child'.

On April 1st 2013 responsibility for child protection reverted to each Local Authority in the North East. These local child protection committees will at times work in partnership, and will produce refreshed local child protection guidelines which will replace the current guidelines issued from the NESCP. Until such time as the Child Protection Partnership produces these guidelines the guidelines from the NESCP should be referred to.

The Children's (Scotland) Act 1995 places a specific duty on the local authority to safeguard and promote the welfare of children within their area, and places a duty on the local authority to investigate if it believes that a child is or is likely to suffer significant harm.

Aberdeen City Council's Protecting Children Policy (2007) states that 'the Council must work with its partners to make the city a safer place for children and young people through prevention, protection and support.' The policy covers the services that the authority provides; all services commissioned by the local authority; and all services delivered in building owned by the authority. It applies to all paid employees, volunteers and contractors.

*In the context of this guidance child refers to a child or young person under the age of 16.*

This policy endorses and takes account of the National Guidance on Child Protection and the local guidelines. It was prepared on the 1<sup>st</sup> August 2014. It is displayed at the front of school and in the nursery cloakroom and individual copies may be obtained from the school office.

**We aim to:**

- ensure that all staff and volunteers within Cults Primary/Nursery are aware of their responsibility to protect our pupils from all forms of neglect, abuse and discrimination as far as is possible.
- ensure that all staff and volunteers are aware of our child protection guidelines.
- ensure that all staff and volunteers are aware of the indicators of neglect and the different categories of abuse and are familiar with some common signs linked to the categories.
- ensure that all staff and volunteers are aware of the steps that should be taken once issues of neglect and child abuse are recognised or disclosed.
- ensure that our pupils, through our health and wellbeing programme, have experience of appropriate life and social skills to make them aware of how to resist or avoid abuse and how they can seek the support of the known adults within school.
- ensure that all parents and pupils are aware of and understand the child protection policy and the information which a variety of agencies hold and with whom that information may be shared.
- ensure that all child protection reports are recorded and stored securely, in accordance with the guidance on record keeping located in the folder Child Protection in the Education Service.
- contribute to the child's assessment and plan which will regularly be reviewed in order to ensure that it meets the child's needs.

**We will achieve these aims by:**

- Reviewing our policy annually to ensure all staff and volunteers are aware of their responsibilities and any new legislation. All staff will attend a child protection presentation to refresh their knowledge in August of each year.
- All new staff will receive child protection training within 2 weeks of their appointment.
- Ensuring that all members of staff and volunteers have a copy of Cults Primary/Nursery School Child Protection Policy and know where to access the N.E.S.C.P. child protection guidelines and the Protecting Children and Young People Framework for Standards.
- Issuing all members of staff and volunteers with the school child protection policy which outlines the categories of abuse and details the steps which a member of staff must take if child abuse is suspected or disclosed.

- Monitoring our Health and Wellbeing programme to ensure appropriate life and social skills are being taught and that pupils are aware of how to resist or avoid abuse and how to approach the known adults in school.
- Ensuring standard records are kept in a consistent manner and stored securely within school in line with the advice from Aberdeen City Council.

## **Roles and Responsibilities**

***“All individuals working with children have a duty and responsibility to share any suspicions or concerns of a child protection nature, which come to their attention.”***  
**NESCP p23**

All school staff and volunteers are well placed through pupil contact to observe physical and psychological changes in a child which might indicate abuse or need. Whilst the statutory responsibility for investigating cases of child abuse rests with social work and the police, teachers, named person and other school staff have a real responsibility to identify, monitor and report possible cases of emotional, physical and sexual abuse as well as other support needs of a child. A child's views should be listened to and valued.

The categories of concern which may indicate that a child is at risk can be found in Appendix 1.

It is essential to maintain strict confidentiality in all child protection matters. All staff have a duty to pass on their concerns but should not discuss the concerns with anyone who is not relevant to the enquiry. Breach of confidentiality is a serious disciplinary matter and will be handled following the Council's disciplinary procedures. All staff and volunteers should be aware of their role in any child protection matter.

See Appendix 2

**This is what to do if you are a member of staff or a volunteer worker, who has a concern about a child;**

- Everyone within the school has a responsibility to identify and pass on concerns about a child. If you have a concern about a child raise this with the Head Teacher or deputised senior manager who will listen carefully to your concern.
- Where there are concerns about child abuse, you must share this information and you do not need to seek consent before doing so.
- If the Head Teacher judges that further investigation is required they can contact any agency who may have information about the child or family and discuss concerns and relevant information about the child and their circumstances in the child's best interests. They should also check the child protection register.

- If the Head Teacher judges that there is sufficient concern of neglect or abuse then they should contact the JCPU and discuss the case including discussion as to how parents are to be engaged if appropriate.
- The named person for the child should also be notified of any concerns. Please be aware that this may not be the same person as the child protection lead for your school. In this school the named person is Caroline Johnstone, Head Teacher.
- If the child protection lead and or named person is not available then concerns should be passed to the Depute Heads: Lorna Dalziel and Morven McKay.
- In all cases when passing your concerns to the child protection lead you should keep a written log of all incidents / events on the Child Protection Concern Form, Appendix 3, and record this in the child's chronology. Any action, or decision not to take further action and the reasons why should also be recorded, and kept in the child's confidential file. It is important that this entry is completed with times and dates noted. The report must be passed to the child protection lead in school who in turn will ensure a copy is passed to the school's Quality Improvement Officer if appropriate.
- A single member of staff or volunteer worker should not try to undertake a full investigation. The collection of evidence is a **specialist police / social work role**. Inappropriate inquiries may prevent successful prosecution.  
**Do not ask leading questions – report the concerns to the child protection lead, the named person or depute, in their absence.**
- If you report a concern you should ensure that the information you have passed on has been followed up by the relevant person, if you have not been notified of the outcome of an inquiry then ask what has happened.
- **If you have significant concerns that a child is in immediate danger and neither the child protection lead, the Depute or the named person is available then contact the Joint Police and Social Work Child Protection Unit at Bucksburn 01224 306879 for advice and guidance.**

**Do not delay in contacting the JCPU because you cannot contact the child protection lead, the Depute or the named person – a child's safety may be at risk.**

### The Child Protection Register

- Registration is an administrative system for alerting workers to the fact that there is sufficient professional concern about a child to warrant a multi- agency child protection plan.
- The child protection lead can phone to check if a child's name has been recorded on the child protection register.

- The North East of Scotland Child Protection Team maintains the central register for Aberdeen City, Aberdeenshire and Moray. Susan Devlin, Head of Children's Services is responsible for the register.
- Sheila Sansbury is the officer with the Child Protection Lead for Education Culture and Sport. Zandra Morrison in the Families and Vulnerable Learners Team (tel: 01224 764815 / 07834134630) can be contacted for advice and guidance.

### **Monitoring**

This Policy will be reviewed annually. This will be undertaken by the Head Teacher in line with Children and Young People (Scotland) Act 2014. The Care Inspectorate and Education Scotland will check that these policies are up to date and that all staff and volunteers understand what they have to do if they have a concern about a child.

## **Appendix 1**

### **What Is Child Abuse?**

Child abuse is the term used to describe ways in which children are harmed, usually by adults and often by people they know and trust. It knows no geographical or social boundaries. All forms of child abuse involve the elements of a power imbalance, exploitation and the absence of true consent. (see p 21 - 23 of NESCP)

#### Categories of Child Abuse

- Physical Injury – actual or attempted physical injury including the administration of toxic substances.
- Physical Neglect – child denied food, sleep, clothing, cleanliness, shelter, warmth. Left unattended or inadequately supervised.
- Emotional Abuse / Emotional Neglect – coldness, hostility, criticism inappropriate punishments, isolation, scapegoating. Wilful destruction of a child's confidence.
- Sexual Abuse – when any person by design or by neglect causes the child to be involved in any activity that might lead to sexual arousal or gratification including organised networks. This includes rape, intercourse, lewd and libidinous practices.
- Non-Organic Failure to Thrive/ Neglect – failure to meet expected weight and growth norms or developmental milestones. Malnutrition, lack of nurturing and stimulation.

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care results in persistent or severe exposure, through negligence, to circumstances which endanger the child. Physical neglect may also include a failure to secure appropriate medical treatment for the child, or when an adult carer persistently pursues, or allows the child to follow, a lifestyle inappropriate to the child's developmental needs or which jeopardises the child's health.

This category also covers children who are left on their own for long periods and do not receive enough stimulation or suffer sensory deprivation, especially in infancy. They may also not experience enough nurturing, nor have many caregivers.

Severe neglect of young children is associated with major detrimental effects on growth and intellectual development. Constant neglect can lead to health and long-term developmental problems socially, emotionally and educationally. Neglect in some cases can result in physical disability and deformity and even death.

In its chronic form, non-organic failure to thrive can result in the child suffering more serious illnesses, a reduced potential height and, with young children particularly, the results may be life-threatening over a relatively short period.

- Vulnerability Factors – issues which can affect the wellbeing and safety of children.

Children may need our support or help but not be victims of child abuse. Children may need our support through difficulties at certain times in their lives e.g. divorce, new partners in the home, new families, bereavement suicide, moving home, moving school, adoption, fostering etc

### **Additional Factors / Risk Indicators**

The following factors should act as a prompt for all staff working in an adult or child care setting, to consider how they may impact on a child. Where these co-exist, risk may be increased:

- Domestic Abuse
- Parental alcohol misuse
- Parental drug misuse
- Children or Young People experiencing or affected by disability
- Children and young people experiencing or affected by mental health Problems
- Children and young people who display harmful or problematic sexual Behaviour
- Non engaging families
- Sudden unexpected death in infants and children

### **Harm outside the home**

- Child Exploitation
- Child Trafficking
- Online and Mobile phone child safety
- Children and young people who place themselves at risk
- Underage sexual activity

- Forced Marriage
- Concealed pregnancy

Difficulties such as these should be reported in the same way as you would report concerns re child abuse as they are still child protection issues and may require adjustments to the curriculum or input from other agencies



## **Appendix 2**

### **Listening to the Child**

The first steps when listening to a child are crucial. They often feel frightened, confused and vulnerable.

- Be receptive.
- Take it seriously – there is a reason for the child imparting such information.
- Reassure the child they are right to tell, listen carefully, avoid showing any kind of shock reaction.
- Tell the child you need to seek help. Do not promise not to tell.
- Make a careful record of what was said – use the child's words not your own.
- Don't jump to conclusions, speculate or accuse anyone.
- Don't use leading questions this is not your role.
- Inform the Head Teacher or child protection lead as well as informing the named person, immediately

## **Complaints Procedure**

In line with Aberdeen City Council's Complaints Procedure if you have a complaint you should follow the stages listed below:

Stage 1      Contact Caroline Johnstone, the Head Teacher, as soon as possible to inform him/her of your complaint.

Stage 2      Write a letter, telephone or email

Val Steele  
Quality Improvement Officer  
Marshal College  
Broad Street  
Aberdeen  
AB10 1BY  
Tel: 01224 522775  
Email: [vsteele@aberdeencity.gov.uk](mailto:vsteele@aberdeencity.gov.uk)

Or contact

Care Inspectorate  
Johnston House  
Rose Street  
Aberdeen  
AB10 1UD

Stage 3      Write to

Chief Executive  
Town House  
Broad Street  
Aberdeen  
AB10 1FY

Stage 4      Contact:

Scottish Public Services Ombudsman  
0131 0115378

Before, or at any of these stages you may contact the Care Inspectorate directly, either by telephoning, visiting or writing to:

The Care Inspectorate  
Johnston House  
Rose Street  
Aberdeen City Council  
AB10 1UD

Tel:- 01224 793 870

Alternatively you may wish to complete a complaints form online at [www.careinspectorate.com](http://www.careinspectorate.com)

### **Scottish Public Services Ombudsman**

Under the Scottish Public Services Ombudsman Act 2002 members of the public have the right to complain to the public Services Ombudsman about services that they receive from public bodies, including local authorities.

The Ombudsman has the power to investigate complaints against Aberdeen City Council in relation to maladministration and service failure. This includes the power to investigate maladministration in the internal organisation and management of school.

The Ombudsman does not have the power to investigate professional education matters i.e. the giving of instruction, conduct, curriculum or discipline in any educational establishment under the management of Aberdeen City Council.

The Ombudsman may investigate matters only where there is a claim that a member of the public has sustained injustice or hardship in consequence of maladministration, service failure or other action as appropriate.

### **Contacting the Ombudsman**

Members of the public may contact the Ombudsman direct. Individuals may also give written authorisation to a representative to act on their behalf eg MSP or local councillor.

Complaints should normally be made in writing to:

Public Services Ombudsman  
23 Walker Street  
EDINBURGH  
EH3 7XX  
Tel: 0870 011 5378  
Fax:0870 011 5379  
Email:[enquiries@scottishombudsman.org.uk](mailto:enquiries@scottishombudsman.org.uk)

### **Time Limit**

A complaint must be submitted within 12 months after the day in which the person aggrieved first had notice of the matter complained of, unless the Ombudsman is satisfied that there are special circumstances which make it appropriate to consider a complaint outwith that period.

## Appendix 3

### Child Protection Concern Form Cults Primary/Nursery School

Member of Staff Reporting: \_\_\_\_\_

Social Work Involvement: Yes/No

Name if known: \_\_\_\_\_

Name of Child \_\_\_\_\_ Gender \_\_\_\_\_ D.O.B. \_\_\_\_\_

Address \_\_\_\_\_

Parent/Guardian/ \_\_\_\_\_ Carer \_\_\_\_\_

Date Time	Incident / Concern	Action – please initial or name each action

## Legislative Framework

Child Protection is not entirely governed within a legislative framework, and this list is not exhaustive.

- **The Children (Scotland) Act 1995** which requires Local Authorities to promote the welfare of children in need, and to make enquiries when they receive information that a child may be in need of compulsory measures of supervision. It also requires the Children's Reporter and the Children's Hearing to consider who are deemed to be in need of compulsory measures of supervision.
- **The Police (Scotland) Act 1997**, which requires the police to guard, watch and patrol in order to prevent crime, preserve order and protect life and property and to pass information to the Procurator Fiscal when an offence may have been committed.
- **The Criminal Procedure (Scotland) Act 1995 - Schedule 1** which lists offences against children.
- **Protection of Children (Scotland) Act 2003**. This act came into force on January 10<sup>th</sup> 2005. An individual who is disqualified from working in a child care position will commit an offence if they apply for, offer to do, or accept such work. An organisation will have a duty to refer individuals working in a child care position to the DWCL (Disqualified from Working with Children List) if the individual has harmed a child or placed a child at risk and has been dismissed or moved away from access to children as a consequence. Similarly the organisation will have a duty to refer an individual who would have been dismissed but resigned, retired or was made redundant before the dismissal process was completed.
- **Protection of Children Act (2003)** – Implications for Disclosure Scotland applications.
- **Additional Support for Learning Act (2005)**.
- **Data Protection Act (1998)** – data should be gathered and processed fairly and held securely and only used for the purpose for which it was collated.
- **Children and Young Peoples (Scotland) Act 2014**

Legislation and practice are underpinned by the principles from the articles of **the United Nations Convention on the Rights of the Child (1991)**.

**Further detailed information regarding child protection can be obtained within the N.E.S.C.P. guidelines (online version and Framework for Standards – Protecting Children and Young People).**