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Section One - Underpinning Principles

- The welfare of the child is paramount (Children Act 1989).
- Staff are responsible for their own actions and behaviour and should avoid any conduct, which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work in an open and transparent way.
- Staff should discuss and/or take advice promptly from their line manager or a senior member of staff over any incident, which may give rise to concern.
- Records should be made of any such incident and of decisions made/further actions agreed, in accordance with school policy.
- Staff should apply the same professional standards regardless of gender of sexuality.
- All staff should know the name of their designated person for child protection, be familiar with local child protection arrangements and understand their responsibilities to safeguard and protect children.

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- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

Section Two - Developing Safe Working Practices for the Protection of Children and Staff in Education Settings

1. Introduction

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

2. Duty of Care

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

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and children and behaviour by staff that demonstrates integrity, maturity and good judgement.

3. Exercise of Professional Judgement

There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child 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 charge and in so doing, will be seen to be acting reasonably.

4. Power and Positions of Trust

As a result of their knowledge, position and the authority invested in their role, all adults working with children are in positions of trust in relation to the young people in their care.

A relationship between a member of staff and a child cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Wherever possible, staff should avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential.

5. Confidentiality

Members of staff may have access to confidential information about children in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a child or his/her family for their own, or others advantage. Information must never be used to intimidate, humiliate, or embarrass the child.

Confidential information about a child 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.

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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.

6. Propriety and Behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, children and the public.

7. Dress and Appearance

A person's dress and appearance are matters of personal choice and self – expression. However, staff should consider the manner of dress and appearance appropriate to their professional role. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate, could render themselves vulnerable to criticism or allegation.

8. Gifts

It is against the law for public servants to take bribes. Staff need to take care that they 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 or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you. It is also acceptable for members of staff to reward their class with presents on festive occasions or at the end of the year.

9. Infatuations

Staff need to be aware that it is not uncommon for children to be strongly attracted to a member of staff. All situations should be responded to sensitively to maintain the dignity of all concerned. Such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff who becomes aware that a child may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with a senior colleague.

10. Social Contact

Staff should not establish or seek to establish social contact with children for the purpose of securing a friendship. Staff should not give their personal details such as home/mobile phone number; home or e-mail address to children unless the need to do so is agreed with senior management.

11. Physical Contact

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with children this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded in the incident book. Where necessary, use a level of contact, which is acceptable to the child for the minimum time necessary.

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Occasionally children can be needy and seek out inappropriate physical contact, in such circumstances staff should deter the child sensitively by helping them to understand the importance of personal boundaries.

12. Physical Education and other activities, which require physical contact

Those who teach PE and games, or who offer music tuition will on occasions have to initiate physical contact with children in order to support a child so they can perform a task safely, to demonstrate the use of a particular piece of equipment or assist them with an exercise.

This should be done with the child's agreement. Activities outside of school are monitored by the staff on duty.

13. Showers and Changing

Young people are entitled to respect and privacy when changing clothes or taking a shower.

However, there needs to be an appropriate level of supervision in order to safeguard children, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the children concerned.

Staff therefore need to be vigilant about their own behaviour, ensure that children are supervised at all times by two adults, with the exception of the older children, who may use the changing facilities with permission.

14. Childs in Distress

There may be occasions when a distressed child needs comfort and reassurance. This may include age appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

15. Behaviour Management

All children have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Equally, staff should not use any form of degrading treatment to punish a child. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards children is not acceptable in any situation.

16. Care, Control and Physical Intervention

The circumstances in which staff can intervene with a child are covered by the 1996 Education Act. Staff may legitimately intervene to prevent a child from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and discipline. Staff should have regard to the health and safety of themselves and others.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.

17. Sexual Contact with Young People

Any sexual behaviour by a member of staff with or towards a child is both inappropriate and illegal.

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Children are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child consents or not.

The sexual activity referred to does not just involve physical contact, it may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.

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. Staff should be aware that conferring special attention and favour upon a child might be construed as being part of a 'grooming' process, which is an offence.

18. One to One Situations

Staff working in one to one situations with children may be more vulnerable to allegations. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and children are met.

Pre-arranged meetings with children away from the school premises should not be permitted unless approval is obtained from their parent and a senior member of staff with delegated authority.

19. Transporting Children

In certain situations e.g. out of school activities, staff or volunteers may agree to transport children. The class teacher should 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 not undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.

Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

20. Educational Visits and After School Clubs

Staff should take particular care when supervising children in the less formal atmosphere of a residential setting or after school activity.

During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, staff and parents should be informed of these prior to the start of the off site activity.

Health and safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity.

21. First Aid and Administration of Medication

All staff should have undertaken a current first aid training course. When administering first aid, wherever possible, staff should ensure that another adult is

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present, or aware of the action being taken. Parents should always be informed when first aid has been administered.

The school secretary should administer all medication and keep a record of it. It is not to be administered by the class teacher and medication should be accepted with guidance from the parents/carers.

22. Intimate Care

All children have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis.

Children should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken.

23. 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.

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

Parents have the right to withdraw their children from all or part of any sex education provided.

24. Photography, Videos and other Creative Arts

Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement.

Using images of children for publicity purposes will require the age- appropriate consent of the individual concerned and their legal guardians. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.

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

- If a photograph is used, avoid naming the child
- If the child 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

25. Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion.

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Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management. This is particularly important where the welfare of children may be at risk.

26. Sharing Concerns and Recording Incidents

All staff should be aware of the school's child protection procedures, including procedures for dealing with allegations against staff. Staff who are the subject of allegations are advised to contact their professional association.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to senior staff. Early discussion with a parent or carer could avoid any misunderstanding.

Signed:

Date:

To be reviewed by: