

# **Children, Young People, Education and Skills**

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## **Keeping children safe in education**

### **Guidance for Nurseries, Schools, Colleges and Education Services in Jersey**

**May 2021**

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## **Useful Children, Young People, Education and Skills (CYPES) contacts:**

Designated Safeguarding Officer (DSO):	Shirley Dimaro	449477
Head of Data Protection and Governance:	Alexa Munn	444404

## **Children and Families Hub / Multi-Agency Safeguarding Hub (MASH) contacts and telephone numbers:**

Children and Families Hub:	Julie Green	519000
MASH Team Manager/Decision-maker:	Ann Nelson/Annie Shine	449214
Education MASH Researcher:	Carina Rabet	449217
Out of hours Children's Services:		442000
States of Jersey Police Public Protection Unit:		612612

## **Summary**

Children, Young People, Education and Skills (CYPES) is committed to help children and young people achieve positive outcomes; everyone who comes into contact with children and their families or carers has a role to play to keep children safe. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred, which means that they should consider, always, what is in the best interests of the child.

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment;
- Preventing impairment of children's mental and physical health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best outcomes.

Children includes everyone under the age of 18.

Keeping children safe in education is guidance that nurseries, schools, colleges and education settings must have regard to when carrying out their duties to safeguard and promote the welfare of children.

- Headteachers, principals and members of the senior leadership team (SLT)
- governing bodies of schools and colleges
- proprietors of independent schools and private nursery providers

should **ensure all staff** read at least Part One of the guidance to ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in Part One of this guidance.

## About this guidance

This document contains information on the commitments of CYPES, schools and colleges and sets out the responsibilities of nurseries, schools, colleges and education services in keeping children safe and promoting their welfare. It should be read alongside:

[Safeguarding Partnership Board Procedures](#)

[Children \(Jersey\) Law 2002](#)

[Education \(Jersey\) Law 1999](#)

[Day Care of Children \(Jersey\) Law 2002](#)

English statutory guidance:

[Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers \(2018\)](#)

[Working together to safeguard children 2018](#)

[What to do if you are worried a child is being abused](#)

Unless otherwise specified, 'school' means all schools whether provided, non-provided or independent schools, alternative curriculum centres, maintained nursery schools and other education settings. As well as schools named 'College', 'College' means further education colleges, and relates to their responsibilities towards children under the age of 18. 'Children' therefore means 'children and young people' throughout. The term 'practitioners' is used throughout the guidance to refer to individuals who work with children and their families in any capacity.

## Definition of Safeguarding

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment
- preventing impairment of children's mental and physical health or development

- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

*(Working Together to Safeguard Children, 2018. UK)*

Schools, colleges and education services who provide education and support for young people over the age of 18 should ensure relevant staff have attended [Adult Safeguarding Foundation Training](#) as a minimum **and** are aware of the [Jersey Multi-Agency Adult Safeguarding Policy and Procedures](#)

### **Who this guidance is for?**

This guidance should be read and followed by:

- all headteachers, principals and members of the senior leadership team (SLT)
- governing bodies of maintained schools;
- proprietors of independent schools and private nursery providers

This guidance replaces previous versions of the former Education Department's safeguarding and child protection policy.

Everyone who meets children and families has a role to play.

To fulfil this responsibility effectively, all professionals should always be child-centred, which means that they should consider, always, what is in the best interests of the child.

- headteachers, principals and members of the senior leadership team (SLT)
- governing bodies of schools and colleges
- proprietors of independent schools and private nursery providers

are asked to **ensure all staff** read at least Part One of the guidance.

## Underpinning principles

The United Nations Convention on the Rights of the Child (UNCRC) Article 3 states, *'the best interests of the child must be the priority in all decisions and action that affect children'*.

- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious beliefs, personal beliefs and/or sexual identity.
- Everyone has a responsibility to promote multi-agency co-operation to improve the welfare of children, Working Together to Safeguard Children (2018).
- This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with pupils.
- Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct that could lead any reasonable person to question their motivation and intentions.
- Adults should work in an open and transparent way.

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

## Part One: Safeguarding Information for all staff

### What school, college and education staff should know and do

Nurseries, schools and colleges and their staff are an important part of the wider safeguarding system for children. This Policy ensures that arrangements are in place to safeguard and promote the welfare of pupils:

1. Staff of schools and colleges and CYPES are an important part of the wider safeguarding system for children. This system is described in the English guidance [Working together to safeguard children](#).
2. Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families and carers has a role to play in safeguarding children. To fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, always, what is in the **best interests of the child**.
3. No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, **everyone** who comes into contact with them, has a role to play in identifying concerns, sharing information and taking prompt action.



4. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children have the best outcomes.
5. Children includes everyone under the age of 18.

### **The role of nursery, school and college staff**

6. Nursery, school and college staff are particularly important as they are in a position to identify concerns early, provide help for children, and prevent concerns from escalating.
7. **All** nursery, school and college staff have a responsibility to provide a safe environment in which children can learn.
8. Every nursery, school and college should have a designated safeguarding lead who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as children's social care.
9. **All** nursery, school and college staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years. In the first instance, staff should discuss early help requirements with the designated safeguarding lead. Staff may be required to support other agencies and professionals in an early help assessment.
10. **Any staff member** who has a concern about a child's welfare should follow the referral processes set out in paragraphs 21-27. Staff may be required to support social workers and other agencies following any referral.
11. The Teachers' Standards 2012<sup>1</sup> state that teachers, including Headteachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.

<sup>1</sup> The Teachers' Standards apply to: trainees working towards QTS; all teachers completing their statutory induction period (newly qualified teachers [NQTs]); and teachers in provided and non-provided schools, including special schools, who are subject to the Education (School Teachers' Appraisal) (England) Regulations 2012.

## What nursery, school and college staff need to know?

12. **All** staff members should be aware of systems within their nursery, school or college which support safeguarding, and these should be explained to them as part of staff induction. This should include:
- the child protection policy;
  - the staff behaviour policy (sometimes called a code of conduct); and
  - the role of the designated safeguarding lead.

*Copies of policies and a copy of Part One of this document should be provided to staff at induction and their signature obtained stating they have read part one of this document and provide their signature to confirm they understand their own responsibilities.*

13. **All** staff members should receive appropriate safeguarding and child protection training which is renewed annually and regularly updated. In addition, all staff members should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, to provide them with relevant skills and knowledge to safeguard children effectively.

## Early Help

Any child may benefit from early help, but all nursery, school and college staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs
  - has special educational needs (whether they have a Record of Need or not)
  - is a young carer
  - is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
  - is frequently missing/goes missing from care or from home
  - is at risk of modern slavery, trafficking, or exploitation (CSE)
  - is at risk of being radicalised or exploited
  - is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues or domestic abuse.
14. **All** staff should be aware of the early help process and understand their role in it.

This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and in some cases, acting as the lead worker or undertaking an early help assessment.

15. **All** staff should be aware of the process for making referral to the Children and Families Hub and assessments that may follow a referral, along with the role they might be expected to play in such assessments.
16. **All** staff should know what to do if a child tells them s/he is being abused or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality whilst at the same time liaising with relevant professionals such as the designated safeguarding lead and children's social work. **Staff should never promise a child that they will not tell anyone about an allegation, as this may ultimately not be in the best interests of the child**

## **What nursery, school and college staff should look out for?**

17. **All** staff members should be aware of the types of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection and any concerns, no matter how small they appear, should be reported to the DSL (or deputy DSL).

### **Types of abuse**

18. Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

#### **Physical abuse:**

Is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

#### **Emotional abuse:**

Is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing

them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

#### **Sexual abuse:**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Both sexes can commit acts of sexual abuse including both adults and children. The sexual abuse of children by other children is a specific safeguarding issue.

#### **Neglect:**

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

19. Each of these elements above have been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment.
20. Sometimes, a single traumatic event may constitute significant harm (e.g. a violent and /or sexual assault, suffocation or poisoning). More often, significant harm is a compilation of significant events, both acute and longstanding, which

interrupt, change or damage the child's physical and psychological development.

21. Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term neglect, emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm.
22. Sometimes 'significant harm' refers to harm caused by one child to another (which may be a single event or a range of ill treatment), which is generally referred to as 'peer on peer abuse'.
23. In each case, it is necessary to consider any maltreatment alongside the child's own assessment of his or her safety and welfare, the family's strengths and supports, as well as an assessment of the likelihood and capacity for change and improvements in parenting and the care of children and young people.
24. Further information on understanding and identifying abuse and neglect can be found at Gov.uk guidance: [What to do if you are worried a child is being abused- Advice for practitioners](#). Examples of potential signs of abuse and neglect are highlighted throughout the advice and will be particularly helpful for nursery, school and college staff. The [Safeguarding Partnership Board](#) website also provides useful additional information on types of abuse and what to look out for.
25. Staff members working with children are advised to maintain an attitude of **'it could happen here'** where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the **best interests of the child**.
26. Knowing what to look for is vital to the early identification of abuse and neglect. If staff members are unsure, they should always speak to the designated safeguarding lead.

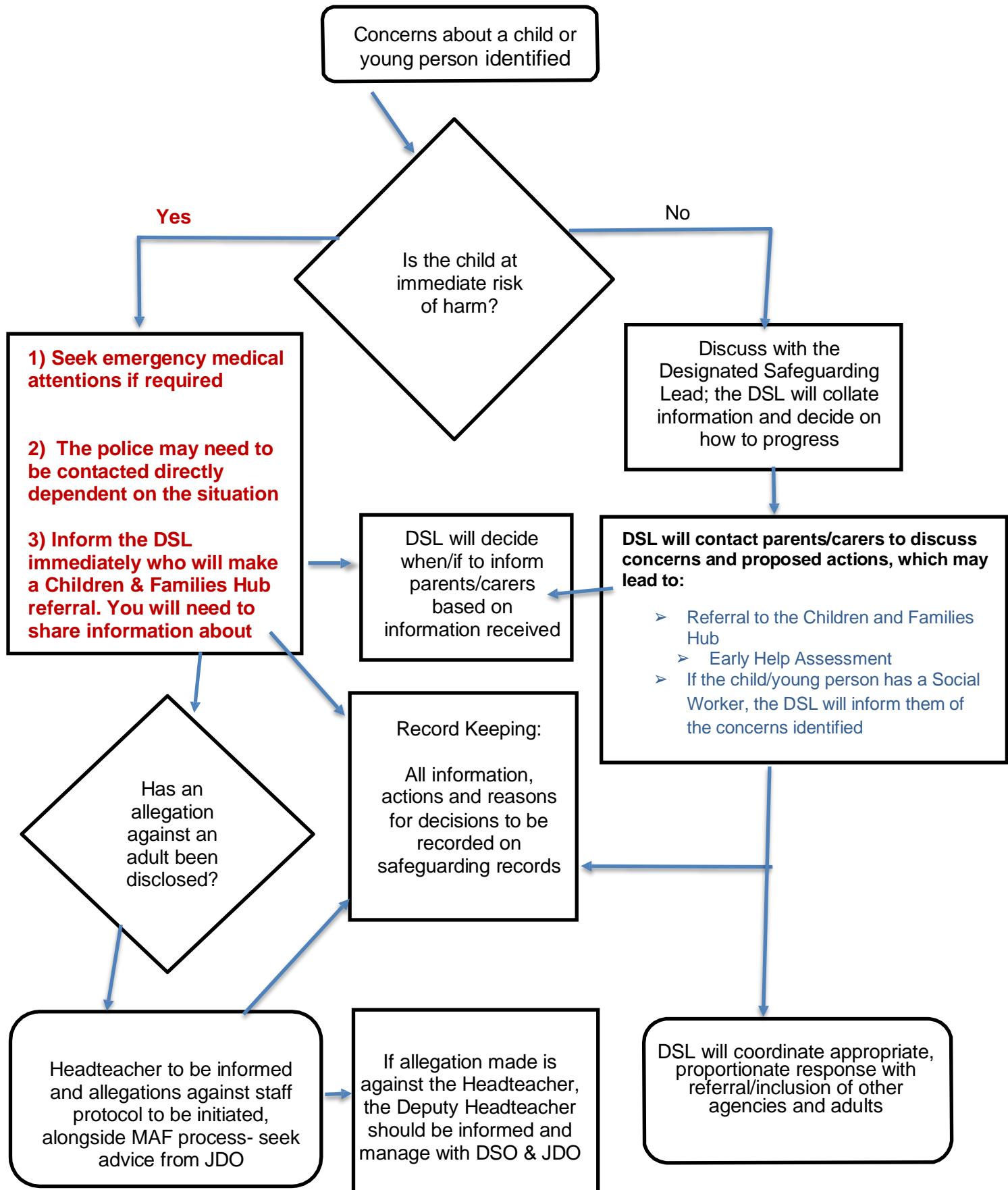
## **What staff should do if they have concerns about a child?**

27. If staff have any concerns about a child they will need to decide on what action to take. Where possible, there should be a conversation with the designated safeguarding lead to agree a course of action, which may involve a referral to the Children and Families Hub.

## What nursery, school and college staff should do if a child is in danger or at risk of harm?

28. If a child is in *immediate danger or is at risk of harm*, **the police should be contacted immediately and a referral to the [Children and Families Hub \(C&FH\)](#) should be completed.** Anyone can call the Children and Families Hub for advice on **telephone number 519000**, but where a referral is not made by the DSL themselves, the DSL and/or Headteacher should be informed as soon as possible that a referral has been made.
29. If staff members have any other **concerns** about a child, they should discuss this with their DSL, the DSL deputy or Headteacher who will decide what action to take. Other options could include referral to other services and should be made in accordance with [Delivering Effective Support for Children & Families: Understanding the Continuum of Children's Needs \(updated Jan 2020\)](#)

### 30. Flow chart



31. If, after a Children & Families Hub referral, the child's situation does not appear to be improving, the designated safeguarding lead (or the person who made the referral) should press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child's situation improves. This can be done using the [SPB Resolving Professional Differences/Escalation and Resolution Pathway](#)

If Early Help is appropriate, the designated safeguarding lead should support the staff member in liaising with other agencies and setting up a multi-agency assessment as appropriate.

32. If Early Help or other support is appropriate, the case should be kept under constant review and consideration given to a Children and Families Hub referral if the child's situation does not appear to be improving. This protocol outlines the interface between early help and the Children and Families Hub.

## **Why is all this important?**

33. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and Serious Case Reviews have repeatedly shown the dangers of failing to take effective action. Poor practice includes:
- failing to act on and refer the early signs of abuse and neglect; poor record keeping; failing to listen to the views of the child;
  - failing to re-assess concerns when situations do not improve; sharing information too slowly; and
  - a lack of challenge to those who appear not to be acting.

## **What nursery, school and college staff should do if they have concerns about another staff member?**

34. If staff members have concerns about another staff member's behaviour or attitude towards children or young people, or their safeguarding practice, then this should be referred to the Headteacher or principal. Where there are concerns about the Headteacher or principal, allegations should be reported directly to the Jersey Designated Officer (JDO) and the Designated Safeguarding Officer (DSO) for Education, CYPES. Full details can be found in Part four of this guidance.



## Education establishments are responsible for:

- Ensuring that all staff have a responsibility to provide a safe environment in which children can learn.
- All staff have a current DBS and regular updates are maintained.
- Recognising emerging needs/difficulties that may occur at any time during a child's education and ensuring appropriate support is in place.
- Providing pupils with opportunities to discuss issues and report problems affecting their safety and welfare.
- Identifying children who are suffering, or likely to suffer significant harm, taking appropriate action to safeguard their welfare, particularly those pupils who are most disadvantaged, with the aim of ensuring they are kept safe at home, school or other CYPES supervised event.
- Ensuring robust procedures for recognition and referral where there are welfare or child protection concerns.
- Monitoring and supporting pupils who are subject to child protection plans, or who are looked after, and contributing to the implementation of their plan.
- Raising awareness amongst staff of child protection issues and ensuring staff are equipped to deal with concerns.
- Teaching children to keep themselves safe and ensuring they know who to approach for help.
- Promoting partnership working with parents/carers and professionals.
- Ensuring that **all CYPES staff, including senior managers and governors**, access safeguarding training as required by the Safeguarding Partnership Board (SPB) at the relevant level; see Jersey SPB: [Safeguarding Partnership Board](#)
- Ensuring safer recruitment practice: [SPB Guidance for Safe Recruitment, Selection and Retention for Staff and Volunteers](#), [Gov.ie Safe Recruitment Policy](#) and the [Safe Recruitment - Manager's Guidelines](#)

## Roles and responsibilities of CYPES, Schools, Colleges and Nurseries

35. All adults working with children have a responsibility to provide a safe environment in which children can learn.
36. All adults should be aware of systems within their nursery/school/college/setting which support safeguarding, and these should be explained to them as part of staff induction. This should include conduct and safe teaching practice
37. The nursery/school/college expects staff and volunteers to set a good example to pupils through their own conduct and behaviour and aims to mitigate the

risk of allegations being made against them by ensuring they maintain high standards of professionalism and appropriate boundaries.

38. The Headteacher/principal will ensure that each member of staff, including volunteers, signs a code of conduct agreement on appointment that sets out the nursery/school/college expectations of standards of professional behaviour. In addition, all staff receive copies of relevant policies.

### **Staff Induction Programme**

39. As part of all newly recruited staff induction programmes, headteachers, education principals/managers and DSLs are responsible to provide new staff with:
  - A copy of the safeguarding & child protection policy and **signed confirmation it has been read and understood**
  - A copy of the staff behaviour policy (sometimes called a code of conduct) and confirm they understand the expected standard of staff behaviour including the use of:
    - computers, including laptops and other devices
    - mobile telephones
    - social media
  - Information regarding the role and responsibilities of all staff in relation to safeguarding and child protection.
  - The names and contact details of the Designated Safeguarding Lead and any DSL deputies. They should also have the opportunity to meet the DSL as part of their induction.

### **Safeguarding Training**

40. **All staff** must attend the Safeguarding Children Partnership Board (SSB) accredited Foundation Safeguarding Children Training as a minimum.
41. **All staff** training should include the categories of child abuse and neglect in order to support identification of children who may be in need of help or protection.
42. Headteachers/managers/DSLs must monitor and record details of the Safeguarding training:

- for all school staff including volunteers
- and that they are trained to the appropriate level

#### Safeguarding Partnership Board training

43. **All** staff must attend safeguarding updates at l e a s t every 2 years, but annual safeguarding updates are recommended.
44. If staff lapse in their training updates of 2 years or over, they are required to attend the SPB accredited Safeguarding Foundation Level training again, or equivalent that has been agreed by the Education Directorate, CYPES. Safeguarding updates include emailed information, e-bulletins and staff meetings also provide safeguarding updates, but do not replace the expected training above.

#### **A child-centred and coordinated approach to safeguarding practice**

45. Keeping children safe in education, schools and colleges is everyone's responsibility and all those working with, or coming into contact with children must have regard to their individual responsibilities when carrying out their duties to safeguard and promote the welfare of children; **at all times the child's best interests is the paramount consideration.**

These principles also apply to:

- **Pre-school settings and after school/holiday club arrangements**
  - **Alternative educational provisions on island or children placed in another jurisdiction**
46. **All staff** working with children have a responsibility to promote inter-agency cooperation to improve the welfare of children, and this responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with pupils in education settings.
  47. **All staff** that work with children are responsible for their own actions and behaviour and should avoid any conduct that could lead any reasonable person to question their motivation and intentions.
  48. **All staff** should work and be seen to work in an open and transparent way.
  49. The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious beliefs, personal beliefs and/or sexual identity [SPB Equality and Diversity Guidance](#)

50. **All staff** should continually monitor and review their practice and ensure they follow the guidance contained in this document.

## Right Help - Right Time

51. **All staff should** be aware of the importance of an early help approach in meeting children's needs and understand that it is more effective for children when adults recognize emerging problems early rather than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the end of adolescence.
- If you are unsure about what help the child or young person needs, please refer to the SPB:  
[\*Delivering Effective Support for Children and Families. Understanding the Continuum of Children's Needs\*](#) Guidance to help inform your decision making and planning:
  - It is important that children receive appropriate support and services. There are a variety of organisations that provide help and support for children and their families. You can find information about these services in the [Children and Families Hub online directory](#) or contact [childrenandfamilieshub@gov.je](mailto:childrenandfamilieshub@gov.je) for advice.

[Click here for further information about the Right Help Right Time - early help approach](#)

## Working together collaboratively and cooperatively

52. No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, **everyone** who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

## Working with parents and carers

53. Parents and carers have the main responsibility for safeguarding and promoting their child's welfare and the nurseries/schools/colleges recognise the importance of working in partnership with parents and carers to ensure the welfare and safety of pupils.

### **Nurseries/Schools/colleges will:**

- Make parents/carers aware of nurseries/schools/college statutory role in safeguarding and promoting the welfare of pupils, including the responsibility to refer concerns when necessary.
- make safeguarding policies available on the nursery/school/college website or as a hard copy at reception.
- Provide opportunities for parents and carers to discuss any concerns with class teachers and other relevant staff.

### **Responsibilities of Headteachers/College Principal/Managers**

- Ensure all staff are fully aware of the nursery/school/college safeguarding and child protection policies and that these policies are fully implemented.
- Ensure all staff have a good understanding of their role in the identification and sharing of safeguarding concerns with the DSL or Headteacher.
- Ensuring that the school has a senior 'designated safeguarding lead' to take on lead responsibility for child protection issues and an identifiable deputy.
- Ensure the Designated Safeguarding Lead is given sufficient time and resources to carry out their responsibilities.
- Ensure DSLs/deputies are released to attend multi-agency safeguarding meetings, child protection conferences, core group meetings and other meetings held to discuss safeguarding issues concerning pupils at the school/college.
- Ensure safer recruitment practice is followed whenever recruiting to posts and that all staff hold an up to date DBS.
- Ensure that all volunteers have relevant risk assessments for working with young people.
- Ensure the school/college offers a safe and transparent environment for staff and pupils to raise concerns about poor or unsafe behaviours or practice.
- Ensure appropriate action is taken when an allegation is made against a member of staff, following the [Managing Allegations Against Adults or Volunteers](#) and the CYPES Designated Safeguarding Officer or the Head of Inclusion are contacted and informed as soon as possible.
- The nurseries/school's/college's safeguarding policies are reviewed at least annually.

### **Safeguarding children and young people; multi-agency working**

54. Schools, nurseries and colleges/educational settings should work together to safeguard children, including:
- Making sure vulnerable children get early help before problems escalate and

more robust interventions such as child protection is needed.

- **All staff** understand the importance of informing their DSL when concerns are raised/identified.

- **All staff** should understand the process of making a referral to the Children and Families Hub.
  - **All staff** understand the need for referrals to Children's Services where statutory social work assessments may be required and how they may contribute to the process/information gathering.
55. **All staff** will share information, lawfully, and work in an integrated way to ensure a co-ordinated response from agencies to support families and meet the child's needs. Nurseries/Schools/colleges recognise their duty to work in partnership with other professionals and agencies within the children's workforce in order to deliver integrated services that focus on prevention.
56. **To achieve this, the nurseries/schools/colleges will:**
- Lawfully share information with agencies in order to ensure pupils receive appropriate services and are appropriately safeguarded.
  - However, confidential information about a child should never be used casually in conversation or shared with any person. Data should only be shared with third parties if it is permitted under the provisions of the Data Protection (Jersey) Law.

## Attendance at case conferences and core groups

57. The Designated Safeguarding Lead will liaise with key staff to ensure that all relevant information held by the nursery/school/college is shared with Children's Services during the child protection process.

### [Child Protection Conference Procedures - SPB](#)

58. The DSL will ensure that the nursery/school/college is represented at child protection case conference and core group meetings. Where possible, a member of staff who knows the child best, e.g. class teacher or Head of Year will attend meetings. Where a representative from nursery/school/college is unable to attend, e.g. school holidays, the DSL will ensure a report is made available.
59. **All staff** attending Child Protection Conferences or Core Group Meetings will have received training in this area.



## Framework for the Assessment of Children in Need and their Families (2000)

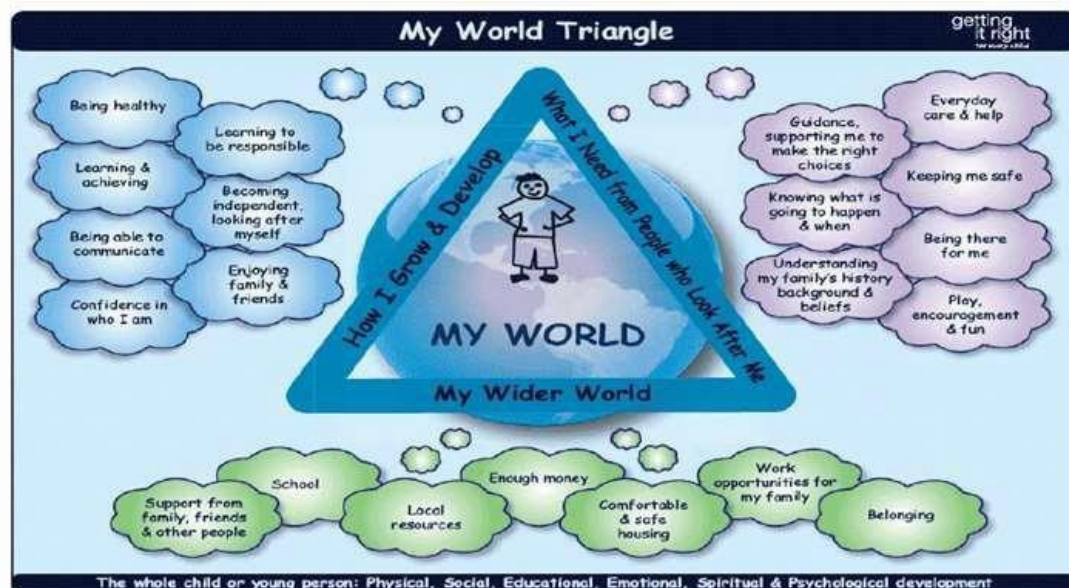
This framework helps professionals to identify specific areas of concern within the child's life.



60. By systematically assessing each domain and analysing all the relevant information, professionals will be able to identify strengths and weaknesses, and any additional needs the child may have.
61. The information gathered helps to inform and guide report writing for child protection conferences and core group meetings. Where possible, any report should be written in partnership with the parent/carers and/or young person according to their capacity to contribute.

## My World Triangle

Additionally, My World Assessment tool helps professionals to gather detailed child-focused information to **help understand the child's life from their own perspective and listen to their views, thoughts and feelings.**





## What to do if you are concerned about a child

62. If staff **have any concerns about a child they should discuss this in the first instance with the DSL who will decide on what action to take.**
63. The DSL will decide whether to make a Children & Families Hub referral following a discussion with the member of staff who has raised concerns.
64. If there is any doubt about whether concerns raised require a referral to the Children and Families Hub, the DSL should consult the MASH Manager or the DSO at Education for advice. [Children and Families Hub homepage and professional referral process](#)
65. Parental consent must be sought prior to the referral being made, ***unless seeking consent would place the child at risk of further harm.***
66. If parents do not consent, ***but your view is that the child has suffered or in your professional opinion remains at risk of suffering significant harm, the referral must still be made in absence of 'parental agreement' and the parent made aware.***
67. If the child already has an allocated Social Worker (SW), school should speak to the SW and make them aware of the concerns raised and record this.
68. Once the Children and Families Hub have dealt with a referral, they will contact the referrer and provide feedback regarding the referral outcome.
69. Where the child has suffered or likely to suffer significant harm, professional partners from the MASH will convene a strategy meeting and invite representatives from relevant agencies, including education as a key agency for any school-age child.
70. The multi-agency strategy meeting consists of discussion and analysis of the available information and an action plan is agreed to manage any risk and to identify any additional assessments that may be required. *For example, a child requiring a medical examination. This process not only considers the child concerned, but any siblings or other children who may also be at risk from harm given disclosures and information available.*
71. **In emergency situations** where the child remains at risk of harm if left with or returned to their family/carer, a Children's Social Worker is allocated who will arrange for the child to be moved to a place of safety; this can include relatives, foster care or on occasions Robin Ward at Jersey General Hospital.

## Dealing with disclosures

- 72. **All staff** have a responsibility to identify those children who are suffering from harm or abuse
- 73. **All disclosures** made by a child must be listened to, taken seriously and managed with sensitivity
- 74. **On no account** should adults make suggestions to the child of alternative explanations of their disclosure or 'investigate' the disclosure
- 75. All disclosures should be recorded accurately with the time , date and those people present.

## Consultation

- 76. Any concerns held by staff should be discussed in the first instance with the DSL, the Headteacher, or their deputy in their absence, who will decide what action should be taken. It is essential that concerns held by staff are properly shared and evaluated in order that appropriate action to safeguard the welfare of children can be taken. This may include access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. [Responding to Abuse and Neglect](#)

## The Concept of Significant Harm – legal framework

- 77. Some children are in need because they are suffering, or likely to suffer, significant harm. The Children (Jersey) Law 2002 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives statutory agencies such as the Children's Service and the Police a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.

The Children (Jersey) Law 2002 Part 4 enshrines the concept of **Significant Harm**.

**Article 24 (2):** The court may only make a care order or supervision order if it is satisfied:

- a. That the child concerned is suffering, or is likely to suffer, significant harm; and
- b. That the harm, or likelihood of harm, is attributable to:
  - i. The care given to the child, or likely to be given to the child if the order were not made, not being what it would be reasonable to expect a parent to give the child; or
  - ii. The child's being beyond parental control.

## **Article 24 (6):**

- 'Harm' means ill - treatment or the impairment of health or development;
  - 'Development' means physical, intellectual, emotional, social or behavioural development;
  - 'Health' means physical or mental health; and
  - 'Ill treatment' includes sexual abuse and forms of ill-treatment which are not physical.
78. There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusual elements.
79. To understand and identify significant harm, it is necessary to consider:
- The nature of harm, in terms of maltreatment or failure to provide adequate care;
  - The impact on the child's health and development;
  - The child's development within the context of their family and wider environment;
  - Any special needs, such as a medical condition, communication impairment or disability, that may affect the child's development and care within the family;
  - The capacity of parents to meet adequately the child's needs; and
  - The wider and environmental family context.
80. The child's reactions, his or her perceptions, and wishes and feelings should be ascertained and the professionals involved with the child should give them due consideration, so far as is reasonably practicable and consistent with the child's welfare and having regard to the child's age and understanding.
81. To do this depends on communicating effectively with children and young people, including those with communication needs. This may involve using interpreters and drawing upon the expertise of early years workers or those working with children with disabilities. It is necessary to create the right atmosphere when meeting and communicating with children, to help them feel at ease and reduce any pressure from parents, carers or others.
82. Children and young people will need reassurance that they will not be victimised or punished for sharing information or asking for help or protection;

this applies to children and young people living in families as well as those in residential/institutional settings, including custody. It is essential that any accounts of adverse experiences coming from them are as accurate and complete as possible. Accuracy is key: without it, effective decisions cannot be made, and inaccurate accounts can lead to children remaining unsafe, or to the possibility of wrongful actions being taken that affect children and adults.

## Recognition and dealing with disclosures

83. 74. If a child makes a disclosure in nursery, school or college, staff need to know:

### What to DO

- Listen to what is said without displaying shock or disbelief and accept what the child is saying
- Allow the child to talk freely
- Reassure the child that they were right to tell someone and what has happened is not their fault
- Explain what will happen next and who has to be told about the incident
- Reassure the child that you have a responsibility to keep them safe; that it may not be possible to maintain confidentiality
- You must complete a written record of what has been disclosed and any actions taken, recording the date, time and the names of any witnesses that may have been present when the disclosure was made
- This record should be given to the DSL and included in the Children & Families Hub referral. A copy of this record and the Children & Families Hub referral form should be kept securely on the child's school safeguarding record.

### What NOT to do

- Do not ask direct questions but allow the child to tell their story
- Do not criticise the alleged perpetrator
- Do not investigate

84. See Appendix B.

85. Parents should be informed and consent obtained for a referral to the Children and Families Hub, **except where the parent or someone known to them is the alleged abuser; in which case the PARENT SHOULD NOT be informed as this may increase risk of harm to the child and/or hinder a police investigation.**

## Monitoring

86. The following actions should be taken where a pupil is the subject of a Child Protection Plan (CPP):

- At all times the DSL will share any relevant information as required by the CPP.
- Monitoring school attendance will be carried out by the relevant staff member in conjunction with the designated teacher/DSL.
- All information will be recorded prior to each conference and core group meeting.
- This record will be kept on the pupil's file and copies made available to all conferences and core group meetings.
- Schools should maintain chronologies of significant events and share information at conference and core group meetings.
- The DSL will notify the allocated Social Worker if the child is removed from school roll, suspended for any period of time or if they go missing from school/education.

## Record Keeping and storing information

87. **All staff** are responsible for ensuring that records are accurate, up to date and that recording is of a high standard. DSLs will ensure that MyConcern safeguarding solution is fully implemented in all maintained schools and colleges.

### Record keeping practice

88. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead.
89. All records should be accurate, factual and contemporaneous. They should also be kept up to date as things change or new information is shared.
90. The safeguarding solution, MyConcern, should be used in all Government schools to record concerns in addition to reporting to the DSL.
91. A 'Record of Concern' form should be used where MyConcern safeguarding recording system is not in place. See Appendix A.

### The following should be recorded:

- What action was taken to refer concerns or manage risk within the school?
- **Any action taken; how and why decisions were made should be recorded.**
- Any incidents, disclosures or signs of neglect or abuse fully recorded with dates, times and locations.
- The 'Record of Concern' will be raised and shared by using MyConcern safeguarding recording system. Should MyConcern be unavailable, a paper 'record of concern form' should be completed. 'Record of Concern Form' and all concerns reported to the DSL immediately. Refer to Appendix A.
- Where a child who is subject to a protection plan transfers to another school,

the DSL is responsible for ensuring that copies of all relevant records are passed to the DSL at the new school. Ideally, this should be a face to face meeting.

- Child protection records will be kept until the child reaches 25 years of age, at which point they will be destroyed, confidentially and securely. This length of retention and disposal complies with both the Data Protection (2005) Law, and the Public Records (2002) Law.
- The DSL is responsible for maintaining a record of welfare and child protection concerns.

[SPB Record keeping - Recording Guidance](#)

### **Confidentiality and information sharing**

92. All information obtained by nursery/school/college staff about a pupil and their family is confidential and can only be shared with other professionals and agencies with the family's consent. Schools should obtain written informed consent from parents/carers, which should be signed and dated in order to share information. However, the child's welfare is paramount and nurseries/schools/colleges need to make a professional judgement in circumstances where children are at risk from or likely to be at risk of significant harm. Where it is in the interests of the child, information can be shared with relevant authorities. For example, Health and Community Services (HCS), Police, School Nurses, Health Visitors in line with the Data Protection (Jersey) Law 2005.
93. Parental consent to making Children and Families Hub referral should always be sought; if their consent is withheld, the referral should still be submitted, and parents must be made aware of this. **Before taking this step, nurseries, schools and colleges should consider the proportionality of disclosure against non-disclosure, as the duty of data protection is overridden by the need to safeguard children.**
94. Only relevant information should be disclosed to those professionals who 'need to know'. Always ensure you adhere to the Data Protection (Jersey) Law 2018. Staff should consider the purpose of the disclosure and remind recipients that the information is confidential and only to be used for the stated purpose. Parents should also be made aware of the nursery/school/college's duty to share information.
95. Staff should discuss any concerns or difficulties around confidentiality or information sharing with either the DSL, DSO or seek advice from MASH Manager or CYPES's Head of Governance.

## **Why is all this important?**

96. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and Serious Case Reviews (SCR) have repeatedly shown the dangers of failing to take effective action. Poor practice includes: failing to act on and refer to the early signs of abuse and neglect; poor record keeping; failing to listen to the views of the child; failing to re-assess concerns when situations do not improve; sharing information too slowly; and a lack of challenge to those who appear not to be taking action.

## **Part Two – the management of safeguarding for schools**

### **The responsibility of governing bodies and senior leaders**

97. Schools and colleges should have a senior level lead to take leadership and responsibility for their safeguarding arrangements.

### **Collection of children from nursery & school**

98. Primary schools and nurseries should have a policy in place regarding the collection of children by adults who are not their parent or known carer at the end of the school day.
- When the child starts school, they should be notified of who will normally collect the child
  - Parents have a responsibility to notify the school in advance if this changes, giving details of the person who they have authorised to collect their child
  - Parents should also be asked to inform nursery/school where children are subject to court orders that limit contact with a named individual
99. In the event that anyone who is not authorised to collect the child attempts to do so, the school/nursery should not allow the child to leave and contact be made with the parent immediately.
100. Schools/nurseries should also have a procedure in place to deal with situations where a child is not collected at the end of the school day.
- Schools/nurseries should check with the child to see if there are any changes to arrangements for collection and try to make contact with the parent or other family members, and wait with the child until someone comes to collect them.
  - Where children are regularly not collected or collected late, the class teacher should raise this as a concern with parents/carers.
  - An Early Help Assessment may be considered to identify any potential

underlying problems.

- Children should not be released into the care of another parent even where they offer to take the child home.
- Schools should discuss with the MASH team on telephone 519000 at 4:00pm if there are difficulties in contacting parents, other family members or authorised adults.
- If no contact can be made with the parent/carer by 4:30pm, the school should contact the MASH on 519000 who will arrange for a Social Worker to collect the child or make arrangements for the child to be taken to the Children's Social Care offices.

## **Change of Care and/or Living Arrangements**

101. At the start of each school year, parents must update contact details with respect to the collection of their child.
102. Parents should inform the school of any changes to the care and/or living arrangements of their child/ren whilst their children remain on the school roll.
103. Where children remain in Jersey and the parent(s) leave the island, parents must provide contact details of their whereabouts i.e. address and telephone numbers as well as the name, relationship and contact details of the adult(s) responsible for their child/ren in their absence.
104. If school suspect parents have arranged or agreed to private fostering arrangements a referral to the [Children and Families Hub homepage and professional referral process](#) should be made.

## **Acrimonious parental relationships, PR and collecting child from school**

***Caution should always be taken where the welfare of a child is of concern, and their welfare should always take priority***

105. A school's obligation is for the education and welfare of the child. Schools should be guided by the Jersey Family Court Advisory Service (JFCAS).
106. Any difficulties that arise between parents with parental responsibility (PR) should be managed by JFCAS and the Family Court. Schools and staff should be careful not to become involved in custody disputes.
107. If either parent or their respective lawyers request a member of staff to either write a statement or appear in court on their behalf, they should seek advice



from Head of Governance at CYPES. It would not be appropriate to become involved in custody disputes.

108. If the headteacher becomes aware of problems between parents, it is good practice that a meeting with both parents takes place to try and resolve any difficulties that may negatively impact on their child.
109. It is important to ensure that these conversations remain around the child's educational needs and welfare and that you are not drawn into custody or divorce disputes which are beyond CYPES' remit. Court Orders will inform contact arrangements, which can include the collection of children from school. It may be necessary to ask for a copy of relevant Court Orders which can be included in the child's file. Court Orders regarding collection must be adhered to until and unless they are changed.
110. In the absence of a Court Order when there is a disagreement about who can collect the child, an 'adult conversation' with parents should take place about who collects the child with a signed agreement between both parents and the Headteacher.
111. The DSO can be contacted and will attend the meeting with parents and headteacher if requested. If no resolution can be reached, the parents should be directed to seek legal advice.
112. If the headteacher does make the judgment that a parent is not in an appropriate condition to release the child, then they can refuse to do so. However, this would be the case regardless of whether or not there was a Court Order in place and is a safeguarding matter. In this situation, advice must be sought immediately from the MASH on telephone 51900 or the States of Jersey Police, Public Protection Unit (PPU) 612612.
113. In the event that the headteacher or school staff suspect there may be a problem, or either parent has made a threat, this should be flagged as early as possible; advice from the DSO, Social Worker (if there is one) or the PPU should be sought.
114. Where headteachers or school staff have grounds to believe a child may be at risk of harm by a breach of the peace or that a crime may be committed, they should contact the police immediately.

## **Missing from school**

115. Schools, nurseries and colleges need to be aware of those children who are persistently absent or missing from school, as this may be an indicator of underlying welfare concerns.

**The Association of Chief Police Officers (ACPO) defines missing as:**

*“Not at the place they are expected to be, but the circumstances are out of character. The context suggests they may be subject of a crime or at risk of harm to themselves or others.”*

116. Research informs us that we should be sighted on children who are missing from school/nursery for a variety of reasons that may increase risk to them, including child sexual exploitation (CSE). Police will not be assigned where children or young people are ‘absent’; instead the onus will be on parents, schools or education welfare officers to locate the child or young person.
117. Escalation to the police will follow if the child or young person is deemed to be ‘missing’ and it is the parent’s or carer’s responsibility to do this. Reasonable steps should be taken by parents and schools prior to making a report to the police.

See CYPES School Attendance Policy: [School Attendance Policy](#)

## **Action for schools**

118. The parent/carers should be contacted immediately and requested to locate their child and report to school when they have done so.
119. If the parent/carers is unable to locate their child and the child cannot be contacted by telephone, the parent/carers should be advised to notify the police and report their child as missing.
120. A referral should also be made by school/college when there are concerns about children or a young person is reported as missing from school/education.

## **Children Missing from Education (CME)**

121. Children missing education completely is more than an attendance issue. When a child leaves Jersey and moves to another jurisdiction, it is the school’s responsibility to take steps to locate their whereabouts and to make direct contact with their receiving school or education setting. Only after effective attempts have been made by schools to locate the child without success should they refer their concerns to the Education Welfare Team Manager for CYPES.

See Children Missing from Education (CME) Policy. [CYPES School Attendance Policy](#)

## **Educated other than at School ('EOTAS') – policy under review**

Where a parent notifies the school that they are removing the child so they can be educated at home, the following notifications should be made:

- The Education Welfare Team should be contacted.
- If the child has an allocated Social Worker, they should be notified immediately.
- If school have concerns about the child's welfare, the DSL should make a referral to the Children and Families Hub.

## **Online-Safety**

122. The field of online/electronic safeguarding, also known as e-safety, is constantly evolving with the pace of technological change.
123. Schools need to manage the attendant risks actively and in a timely manner in order to achieve effective online safeguarding. See [Online Safety Policy](#).

## **Safer Recruitment**

124. The nursery/school/college recognises safe recruitment practices are an essential part of creating a safe environment for children and will ensure that staff working in the school/college are suitable to do so and do not pose any kind of risk – see:

[SPB Guidance for Safe Recruitment, Selection and Retention for Staff and Volunteers](#)

Government of Jersey [Safer Recruitment Policy](#)

[Safe Recruitment - Manager's Guidelines](#)

## **Staff Induction**

125. The headteacher/principal/manager will ensure that all staff are fully inducted, are made aware of the school/college's safeguarding policy and procedures and that staff are fully aware of their role in implementing these.
126. The Designated Safeguarding Lead will ensure that all staff are fully inducted about the nursery/school/college child protection procedures and that they

receive safeguarding and child protection training at least two-yearly, but annual updates are recommended.

127. The headteacher/principal/manager/DSL is responsible for keeping a central record of all statutory and other training undertaken by staff members, governors and volunteers.
128. CYPES staff, including senior managers and governors will receive multi-agency safeguarding training provided by Jersey's SCPB at the relevant level.
129. Training for staff who regularly work with children, young people and families should enable them to:
  - Develop knowledge, skills and the ability to work together on the processes for safeguarding and promoting the welfare of children and young people, including those suffering or at risk of suffering significant harm.
  - Identify the Designated Safeguarding Lead in their nursery/school/college/department and recognise their responsibility to report any concerns about children/young people.
  - Understand the correct line of reporting and the principles of information sharing.
  - Understand their role, responsibilities and limitations in dealing with safeguarding concerns.
  - Describe inter-agency roles and responsibilities for safeguarding children.
  - Understand what will happen once they have informed someone about concerns.
  - Make a full contribution to the process of child protection and have an understanding of the purpose of inter-agency activities and the decisions required at each stage of the child protection process.
  - Demonstrate skills in effective collaboration between agencies to achieve intended outcomes for the child and their family.
130. As well as basic safeguarding training, the Designated Safeguarding Lead and deputy designated teacher will receive specific training on their role and other relevant multi-agency training courses provided by SPB at a level that meets individual's roles and responsibilities.

## **Positive Behaviour Support and Restrictive Physical Intervention**

131. Restraint should only be used as a last resort after other strategies included in the school behaviour policy. Physical restraint always carries a risk to the child or staff who may be harmed, physically or emotionally. Inappropriate or excessive use of restraint can lead to an allegation of assault.

132. It is schools/college's policy to use physical intervention and restraint only in line with CYPES Positive Behaviour, Exclusions and Part-timetables Policy. The schools/colleges policy should include guidelines for staff to reduce the risk of harm to children/young people and to reduce the likelihood of allegations being made against staff.
133. **Smoking and Vaping** should be managed as unacceptable behaviour in schools so policies need to be in place for dealing with such behaviours. It is good practice for students and parents to be part of a consultation process when developing your own school policies as this is more likely to promote shared ownership, agreement and partnership working.

See: [Positive Behaviour, Exclusions and Part-time Timetables Policy](#)

## Managing allegations against staff or volunteers

### [Dealing with Allegations Against Staff and Volunteers.](#) *(Policy under review)*

134. In the event that an allegation is made against a member of staff or volunteer, the school/college will follow CYPES Guidance for the [Dealing with Allegations Against Staff and Volunteers.](#)
135. The nursery/school/college will appoint a responsible staff member (usually the Headteacher) who will be the school representative for the purpose of managing all allegations. The headteacher should contact CYPES, DSO, or in their absence, the Service Manager for Vulnerable Children, or the CYPES Head of Inclusion for all allegations raised.
136. A second member of school/college staff should be identified, who is usually the deputy headteacher, to act in their absence **or if allegations are made against the headteacher.**
137. Where a staff member or volunteer is removed from the school following an allegation against them being upheld, and it is agreed that the person is unsuitable to work with children, the Jersey Designated Officer (JDO) or the PeopleHub Consultancy Services (GoJ) will refer the individual to the Disclosure and Barring Service. Also see SPB [Managing Allegations Framework](#) *(under review)*

## Whistleblowing and escalation of concerns

138. The nursery/school/college recognises there may be circumstances where staff and pupils feel unable to raise concerns or incidents of malpractice within the nursery/school/college environment as there is reasonable doubt that these would be dealt with inadequately.

139. **All staff and volunteers** have a responsibility to raise concerns where they feel individuals or nurseries/schools/colleges are failing to safeguard and promote the welfare of children.
140. Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, staff and volunteers should report their concerns to CYPES, Designated Safeguarding Officer, the Service Manager for Vulnerable Children, or Head of Inclusion, who will address the concerns raised. The [SPB Escalation and Resolution Pathway](#) can also be implemented to address your concerns. Also see the [SPB Whistleblowing Policy](#).

The [NSPCC whistleblowing helpline](#) is available for staff who do not feel able to raise concerns regarding child protection failures internally.

## Providing intimate or personal care to pupils

141. Staff in nursery, primary schools and special schools may need to provide intimate or personal care to pupils, e.g. helping a child who has soiled themselves or supervising pupils who are changing for P.E. Schools must have a written policy in place in order to promote safe working practices for staff and ensure children's privacy. See: [Intimate Care Policy-Education](#)

## Safeguarding Vulnerable Children Specific Client Groups

### Children with special educational needs and/or disability (SEN/D)

142. Research has shown that children with disabilities are more vulnerable to abuse. Safeguarding children's welfare is everybody's responsibility. Therefore, awareness between professionals about safeguarding children with additional needs and what constitutes best practice is essential;
- Speech, language and communication difficulties may make it difficult for children to tell adults what is happening to them, or in their lives.
  - Many children with a disability are at an increased likelihood of being socially isolated with fewer outside contacts.
  - Children with SEN/D often do not have access to someone they can trust to disclose that they are suffering harm.
  - Children with SEN/D may be more vulnerable to bullying and intimidation.
  - Dependency on parents and carers for practical assistance in daily living, including intimate personal care, may increase their risk of exposure to abusive behaviour.
  - Children with SEN/D may have limited capacity to resist or avoid abuse.

143. Assessments for some children having SEN/D may require a Record of Need (RoN) to ensure they receive the additional support and resources to meet their educational, emotional and social needs. Where children have physical and/or medical needs, other individual assessments will be completed by paediatricians, nurses, and therapists and a Care Plan will be implemented as part of their Individual Education Plan.

#### Special Educational Needs Code of Practice 0-19 years

144. Where a child requires several assessments, it is important that these are coordinated with an identifiable lead worker/s so that the child's needs do not become lost between different agencies and processes involved and their care. Therefore, multi-disciplinary assessments and reviews should be coordinated by the most appropriate qualified practitioner.
145. Practitioners CPD and learning resources enable staff to meet the needs of all pupils, including pupils with learning differences: [National Association for Special Educational Needs \(NASEN\) UK](#)

## **Domestic Abuse**

### **What is domestic abuse?**

146. When we talk about *domestic abuse*, we are not just talking about violence, but a number of other types of behaviours. Domestic abuse (DA) has a significant negative impact on both the victims and the children living with or witnessing this type of abuse. Schools should treat and manage disclosures of DA as a serious safeguarding concern.
147. Domestic abuse is an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence. In most cases, this abuse is perpetrated by a partner or ex-partner, but also may be by a family member or carer. It is very common.

#### **Domestic abuse can include, but is not limited to, the following:**

- Coercive Control (an act or pattern of intimidation, degradation, humiliation, isolation or other abuse that is used to harm, punish or frighten)
- Psychological and/or emotional abuse
- Physical or sexual abuse
- Financial abuse
- Harassment and Stalking
- Online abuse



148. Domestic abuse also includes different forms of family violence such as, adolescent to parent abuse, forced marriage, female genital mutilation and so called “honour crimes” that are perpetrated primarily by family members, often with multiple perpetrators.
149. Anyone can experience domestic abuse regardless of gender, age, race, ethnic or religious group, sexuality, class, or disability.
150. The impact on children witnessing domestic abuse should not be underestimated and schools play a key role in recognising the signs, supporting children and know where and how to refer for additional support for families.
151. Domestic abuse has a serious impact on children’s health and wellbeing and has significant safeguarding implications as outlined in the Save Lives (UK) report: [\*Save Lives UK Report 2014 'In Plain Sight'\*](#)
152. Schools have a central role in supporting children living with or witnessing DA and the victims involved. School Designated Safeguarding Leads (DSL) will receive domestic abuse notifications (DAN) from the multi-agency safeguarding hub when a DA incident has been reported and the police have been involved. It is important that the DSL informs all relevant school staff so that additional support can be implemented during the school day for any child linked to victim or the perpetrator. For primary school children this is likely to be the class teacher; for secondary school children it may be the form tutor, head of year or relevant subject teachers.
153. If the child already receives additional support. For example, the Social, Emotional and Mental Health Inclusion Team (SEMHIT), the English Literacy Support Assistant (ELSA) or school counsellor may already be working with the child and family so they should be informed on ‘a need to know’ basis as such information is likely to influence their approach and assessment of the child.

See Appendix C.

### **Being prepared for the unexpected - domestic abuse is part of a child’s experience**

154. The child may be unusually upset and emotional, but equally, they may present as withdrawn and ‘not their usual self’. The identified school staff need to observe and monitor. There is a chance the child will disclose to an adult about what has happened or share further information that raises further concern. Staff need to manage any disclosures in the usual way according to safeguarding children procedures.



## **Advice and support for schools**

155. If the DSL/headteacher/deputy would like any further information in relation to the operation of this protocol, they can contact the DSO at the Education Directorate of the CYPES Department. Please note if there are any concerns regarding a child or young person, a Children and Families Hub referral or consultation with the MASH Manager would be appropriate.

**For more information about domestic abuse, how and where to get support see:**

[SPB Domestic abuse guidance pathway for professionals](#)

[Jersey Domestic Abuse Support](#)

[Jersey Women's Refuge](#)

[States of Jersey Police multi-agency support](#)

## **Child Exploitation and Child Sexual Exploitation (CE/CSE)**

156. Some young people are at risk of child exploitation either because they are involved with anti-social behaviours or 'group/gang activity', or because they become a victim of anti-social group activity.
157. Older children involved in negative group activity may put their younger siblings at risk of violence or from competing or opposing groups; younger siblings may also become victims of grooming activity and culture. Female siblings or friends may be at risk of sexual exploitation or sexual violence.
158. Nurseries/Schools/colleges have a key role in educating children and young people about the dangers and importance of keeping themselves safe. Child exploitation and child sexual exploitation (CSE) should be taught within the PSHE curriculum within the context of a healthy relationships programme.
159. School counsellors, school Attendance Officers and Education Welfare Officers need to be aware of any signs of suspected child exploitation activity within school groups and are often in key positions to hear concerns throughout the school community about young people. If any staff has concerns or suspicions around child exploitation and/or CSE, they must discuss this in the first instance with their Designated Safeguarding Lead.

## Female Genital Mutilation (FGM)

160. FGM is a form of child abuse and involves a procedure where the female genitals are deliberately cut, injured or changed, with no medical reason. Several other terms are commonly used; female circumcision, cutting, sunna and gudnin, among other names.
161. FGM is usually carried out on girls from birth, during infancy up to the age of 15 years, most commonly prior to the onset of puberty with the average age tending to be ten to twelve years. Female genital mutilation is extremely painful and traumatic and is performed without any anesthetic. This brutal practice can be found mainly amongst communities from sub-Saharan Africa but is also performed in some communities from the Middle East and Asia.
162. Adult women can also be subjected to FGM. The mutilation of the female genitalia seriously harms the health of girls and women with both short- and long-term problems, which significantly effects their quality of life physically, emotionally, psychologically and sexually. ***The 1989 Convention on the Rights of the Child ratified in Jersey protects against all forms of mental and physical violence and maltreatment (article 19.1); to freedom from torture or cruel, inhuman or degrading treatment (article 37a), and requires States to take all effective and appropriate measures to abolish traditional practices prejudicial to the health of children (article 24.3).***
163. Schools need to be aware of girls who are at risk of FGM or have been abused through FGM. For those at risk, schools should be aware of family plans to take the girl out of Jersey for a prolonged period, or a holiday.
164. **Under the Sexual Offenses (Jersey) Law 2018** is it a criminal offence to carry out FGM on another person and can carry a prison sentence of 14 years. In the UK, anyone who performs FGM can face up to 14 years in prison; anyone found guilty of failing to protect a girl from FGM can face up to 7 years in prison, and it is an offence to:
- take a child abroad for FGM
  - to help a girl perform FGM on herself in or outside the UK
  - help anyone perform FGM in the UK
  - help anyone perform FGM outside the UK on a UK national or resident
  - fail to protect a girl for whom you're responsible for from FGM

[NSPCC Protecting children from FGM](#)

[NHS UK Female genital mutilation information](#)

[SPB Female Genital Mutilation](#)

165. **If you have a reason to suspect that the child may have undergone, or is likely to become a victim of FGM by travelling to another country accompanied by their parent/relative or other adult, the schools/college DSL should contact CYPES DSO on 07797924274, the Children and Families Hub on 519000 or the States of Jersey Police Public Protection Unit on 612612 immediately without notifying parents.**

## **Trafficked children**

166. Some children may have been illegally brought into Jersey for the purposes of commercial gain, e.g. as domestic servants or forced labour. They will be heavily controlled by their exploiters and likely to be moved frequently in order to avoid detection by the authorities. Parents or adult carers arriving with children may also be vulnerable and under exploitative control.
167. To avoid suspicion, traffickers may enrol a child on entry to Jersey posing as a family member but remove the child from school shortly after. Schools need to be aware of any child who suddenly “disappears” off the school roll with no prior explanation, or applications for a place at the school for several unrelated children from the same address.
168. Any concerns about a child should be reported to the DSO and contact the MASH about how best to proceed with a Children & Families Hub referral.

## **Safeguarding Children and Young People Against Radicalisation and Violent Extremism**

169. Definition: Radicalisation is defined as the process by which people come to support terrorism and extremism and, in some cases, to then participate in terrorist groups.
170. “Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas” (HM Government Prevent Strategy 2011).

171. Extremism and radicalisation should be covered in PSHE and cross referenced in other relevant subjects where appropriate. The States of Jersey Police have a named officer who can support schools should they have concerns that a child is potentially being radicalised.

### Indicators

172. With regard to issues that may make an individual vulnerable to radicalisation, these can include:
- a. **Identity Crisis** - Distance from cultural/religious heritage and uncomfortable with their place in the society around them;
  - b. **Personal Crisis**- Family tensions; sense of isolation; adolescence; low self-esteem; disassociating from existing friendship group and becoming involved with a new and different group of friends; searching for answers to questions about identity, faith and belonging;
  - c. **Personal Circumstances**- Migration; local community tensions; events affecting country or region of origin; alienation from UK values; having a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;
  - d. **Unmet aspirations** - Perceptions of injustice; feeling of failure; rejection of community values;
  - e. **Criminality**- Experiences of imprisonment; previous involvement with criminal groups

### SCP B Safeguarding Children and Young against Radicalisation

173. **Those closest to the individual may first notice the following changes of behaviour:**
- f. General changes of mood, patterns of behaviour, secrecy;
  - g. Changes of friends and mode of dress;
  - h. Use of inappropriate language;
  - i. Possession of violent extremist literature;
  - j. The expression of extremist views;
  - k. Advocating violent actions and means;
  - l. Association with known extremists;
  - m. Seeking to recruit others to an extremist ideology.

## Specific safeguarding issues

174. **All** staff should have an awareness of safeguarding issues, some of which are listed below. Staff should be aware that behaviour-linked issues such as, of drug taking, alcohol abuse, truanting and sexting put children in danger.
175. **All** staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender-based violence/sexual assaults and sexting. Staff should be clear as to the school or college's policy and procedures with regards to peer on peer abuse.
176. Expert and professional organizations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example, information for schools and colleges can be found on the [TES](#), [MindEd](#) and the [NSPCC](#) websites. School and college staff can access guidance as required on the issues listed below via gov.je:

## Other Safeguarding links

- [CYPES counter bullying policy](#)
- [Domestic violence and abuse](#)
- [Children of parents who misuse substances](#)
- [Potential risk of harm to an unborn child](#)
- [Fabricated or induced illness](#)
- [Faith abuse](#)
- [Forced marriage](#)
- [Gang Activity, Youth Violence and Criminal Exploitation Affecting Children](#)
- [Jersey Safeguarding Partnership Board Serious Case Reviews](#)
- [Private fostering](#)
- [Harmful sexual behaviour](#)
- [Underage sexual activity](#)

- [CYPES online safety policy](#)
- [E-safety: children exposed to abuse through digital media](#)
- [Safeguarding children and young people against radicalisation and violent extremism](#)
- [Trafficked children](#)

## Appendices and further information

### Appendix A: Sample template for recording a concern;

In the event you do not have access to the MyConcern safeguarding reporting and recording system at the time of a disclosure, a 'Safeguarding Record of Concern Form' should be fully completed and shared with the designated safeguarding lead for your school or education setting immediately. This should be accompanied by a body map when required.

<b>Child's Name:</b>			
<b>Child's DOB:</b>			
<b>Age and year group</b>			
<b>Gender:</b>	<b>Religion:</b>	<b>SEND: Y/N [Details]</b>	<b>Ethnicity</b>
<b>Date and time of concern:</b>			
<b>Your account of the concern:</b>			
(what was said, observed, reported and by whom)			
<b>What did the child / young person say:</b>			
Additional information: (your observations, context of concern/disclosure)			
<b>Your response:</b>			
(what did you do/say following the concern)			
<b>Your name in PRINT please</b>		<b>Your signature:</b>	
<b>Your position in school:</b>		<b>Date &amp; time of this recording:</b>	
		<b>Date &amp; time referred to Headteacher / DSL</b>	
<b>Action and response of DSL/Headteacher with date and time: <i>examples – discussed concern with parents, arranged a meeting with parents, completed children and families hub referral</i></b>			

<b>Feedback given to member of staff reporting concern:</b>	<b>Information shared with any other staff? If so, what information was shared and what was the rationale for this?</b>
<b>Name of Headteacher/DSL</b>  <b>Print name:</b> _____  <b>Signature:</b> _____ <b>Date:</b> _____	



## Appendix B: Responding to a disclosure of abuse

- Be mindful of your reaction and body language - you must remain calm
- Reassure the child or young person that they have done the right thing
- Illicit enough information to decide if this is a safeguarding issue

### **DO NOT investigate**

- **ONLY** use open-ended questions. **Never ask leading questions.**

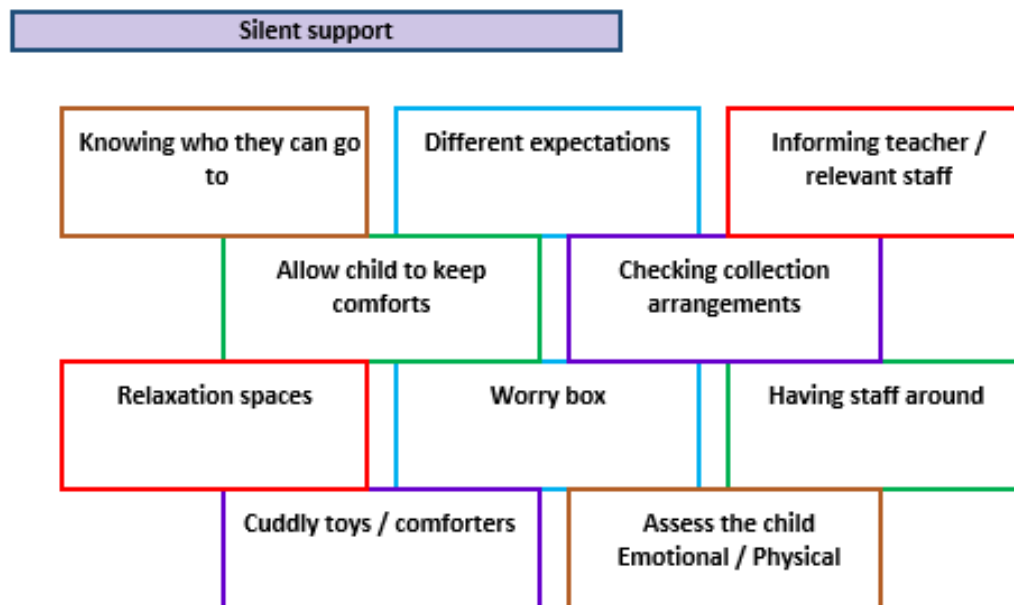
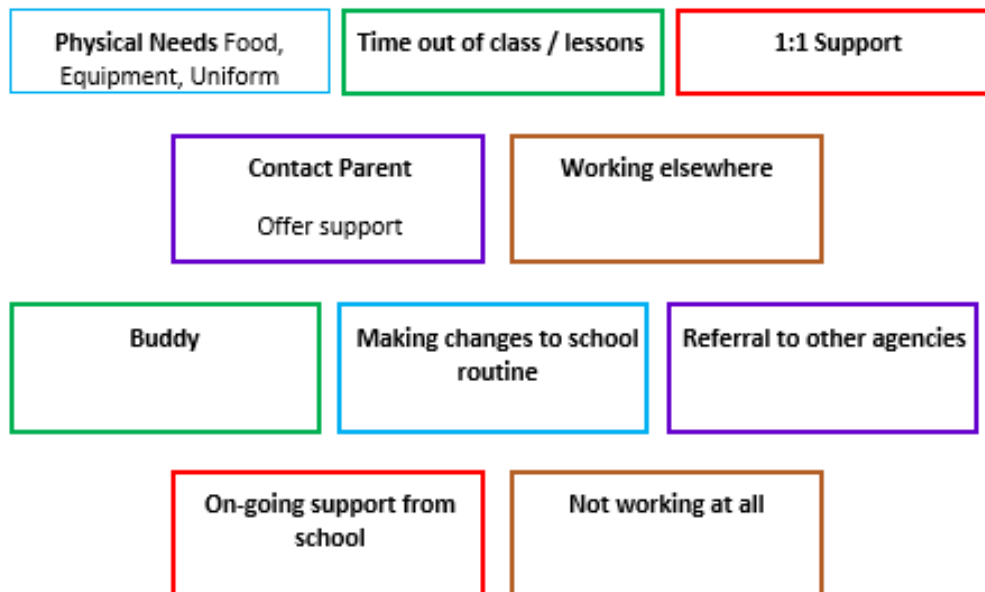
**Use the T.E.D model:** **T**ell **E**xplain **D**escribe (*i.e.: tell me more about that, explain what you mean by that, describe what happened*)

- Do not leave the child or young person alone
- **Inform your Designated Safeguarding Lead immediately**
- Record your conversation as soon as possible using the child/YP's words - not your own interpretation of events

Your notes will be included in the Children & Families Hub referral or as police evidence. The decision-maker in MASH will decide on the appropriate action.

## Appendix C: Domestic Abuse:

### Types of Overt or Silent Support for children living with domestic abuse



## Appendix D: Role of the Designated Safeguarding Lead and the Designated Safeguarding Officer in CYPES/Education

Headteachers and Principals should appoint an appropriate **senior member** of staff, from the nursery, school or college **leadership team**, to the role of designated safeguarding lead. The designated safeguarding lead should take **lead responsibility** for safeguarding and child protection. This should be explicit in the post holder's job description. This person should have the appropriate status and authority within the school to carry out the duties of the post. They should be given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings – and/or to support other staff to do so – and to contribute to the assessment of children.

### Deputy designated safeguarding leads

It is a matter for individual schools and colleges as to whether they choose to have one or more deputy designated safeguarding lead(s). Any deputies should be trained to the same standard as the designated safeguarding lead.

Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate **lead responsibility** for child protection, as set out above, remains with the designated safeguarding lead; this **lead responsibility** should not be delegated.

### Manage referrals

The designated safeguarding lead is expected to:

- Refer cases of suspected abuse to the Children & Families Hub as required;
- Support staff who make the Children & Families Hub referrals;

### Record keeping

All concerns, discussions and decisions made and the reasons for those decisions should be recorded contemporaneously. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead. The safeguarding recording system, MyConcern, should be used in all state schools to record concerns in addition to reporting to the DSL. In other schools where MyConcern is unavailable a 'Record of Concern' form should be used alongside their specific safeguarding reporting and recording arrangements. See Appendix A.

## Work with others

The Designated Safeguarding Lead is expected to:

Liaise with the Headteacher or principal to inform him or her of issues especially ongoing assessments under Article 42 of the Children (Jersey) Law 2002 and police investigations;

- as required, liaise with the “case manager” (as per Part Four) CYPES Education Directorate’s Designated Safeguarding Officer for child protection concerns (**all cases which may involve a staff member**);
- as required, contact the CYPES Education Directorate’s Designated Safeguarding Officer DSO when managing allegations made against staff, volunteers and other adults in schools.
- liaise with staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies. Act as a source of support and advice for staff.

## Training

The Designated Safeguarding Lead (DSL) (and any deputies) should undergo the DSL training course and any other safeguarding training at Level 3 and above to provide them with the knowledge and skills required to carry out the role. They should complete the SPB DSL training as a minimum and training must be updated at least every two years, but annual updates are recommended.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required to allow them to understand and keep up with any developments relevant to their role so they:

- understand the assessment process for providing early help and intervention, for example through the Early Help approach or by requests for involvement to services
- have a working knowledge of how a child protection case conference is conducted and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- ensure each member of staff has access to and understands the nursery, school or college’s safeguarding and child protection policy and procedures, especially new and part time staff.
- are alert to the specific needs of children in need, those with special educational needs and young carers.
- can keep detailed, accurate, secure written records of concerns and referrals using MyConcern software solution.

- obtain access to resources and attend any relevant or refresher training courses.
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect the child.

## **Raising Awareness of Safeguarding Concerns and Practice/Staff CPD**

The DSL should:

- Ensure the nursery, school or college's child protection policies are known, understood and used appropriately;
- Ensure the nursery, school or college's Safeguarding Policy is reviewed annually, as a minimum, and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this.
- Ensure the Safeguarding Policy is available publicly and parents are aware that referrals about suspected abuse or neglect may be made and the role of the nursery, school or college in this.
- It is recommended that the nursery, school safeguarding policies are shared on the school website and hard copy is available at the office.
- Link with the SPB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.

## **Safeguarding and child protection records**

Where children leave the nursery, school or college ensure all safeguarding and/or child protection records are transferred to the new nursery, school or college along with their whole record as soon as possible. Transition meetings should be arranged between DSLs of both locations and any sensitive information should be handed over/discussed on a face to face basis.

## **Availability**

During term time the DSL (or a deputy) should always be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns. Whilst generally speaking the DSL (or deputy) would be expected to be available in person, it is a matter for individual schools and colleges, working with the DSL, to define what "available" means and whether in exceptional circumstances availability via phone and/ or Teams or other such media is acceptable.

It is a matter for individual settings and the designated safeguarding lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

## **Role of the Designated Safeguarding Officer (DSO) for Education/CYPES; the DSO will:**

Act as a point of contact for safeguarding advice and guidance for all schools, and across the range of services and settings that constitute the Education Department.

Oversee and monitor Education Directorate policies, procedures and guidance in respect of safeguarding and protecting children and young people.

Represent the Education Directorate for island wide operational groups including Jersey Multi-Agency Public Protection Arrangements (JMAPPA).

Represent the Education Directorate at Multi-Agency Risk Assessment Conferences (MARAC).

Representative for the Education Directorate on several Safeguarding Partnership Board Sub- Groups.

The DSO provides support and consultation for colleagues when a Children and Families Hub and/or MASH threshold is not met, and will work in partnership to resolve professional difference, for example, where there may be a need to escalate concerns [SPB Resolving Professional Differences/Escalation Policy](#)

### **Manage all allegations against staff or volunteers in education settings:**

- Provide, as required, advice and guidance.
- Ensure effective liaison with partners where needed including (but not limited to) the Jersey Designated Officer (JDO), Human Resources, relevant Service Managers, the Head of Inclusion, and the Group Director for Education as required.
- Collate and analyse information pertaining to allegations against staff / other concerns related to adults to ensure learning for stakeholders through formal reporting.

**Review and assess safeguarding practice** and complete reviews for a variety of concerns/incidents and report to the Head of Inclusion

Provide training/CPD

- Designated Safeguarding Leads Update
- NQTs/School governors
- Children and Early Years Services
- SPB Child Safeguarding Foundation Training
- Work in partnership across agencies with Designated Safeguarding Lead professionals
- Bespoke safeguarding training at request of Group Director of Education

## Appendix E: Online safety

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers a school or college to protect and educate the whole school or college community in their use of technology and establishes mechanisms to identify, intervene in and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- content: being exposed to illegal, inappropriate or harmful material;
- contact: being subjected to harmful online interaction with other users; and
- conduct: personal online behaviour that increases the likelihood of or causes harm.

### Filters and monitoring

Schools and Colleges should be doing all that they reasonably can to limit children's exposure to the above risks from the school or college's IT system. As part of this process, the school or college should have appropriate filters and monitoring systems in place. Whilst considering their responsibility to safeguard and promote the welfare of children, and provide them with a safe environment in which to learn, governing bodies and proprietors should consider the age range of their pupils, the number of pupils, how often they access the IT system and the proportionality of costs vs risks.

The appropriateness of any filters and monitoring systems are a matter for individual schools and colleges and will be informed in part by the risk assessment required by the Prevent Duty.

The UK Safer Internet Centre has published guidance as to what "appropriate" might look like:

[UK Safer Internet Centre: appropriate filtering and monitoring](#)

Whilst filtering and monitoring are an important part of the online safety picture for schools and colleges to consider, it is only one part, there should be a whole school approach to online safety. This will include a clear policy on the use of mobile technology in the school. Many children have unlimited and unrestricted access to the internet via 3G and 4G and the school and college should carefully consider how this is managed on their premises.

Whilst it is essential schools and colleges ensure that appropriate filters and monitoring systems are in place, they should be careful that “over blocking” does not lead to unreasonable restrictions as to what children can be taught with regards to online teaching and safeguarding.

### **Staff training**

Senior leaders should ensure that, as part of the requirement for staff to undergo regularly updated safeguarding training and the requirement to ensure children are taught about safeguarding, including online, that online safety training for staff is integrated, aligned and considered as part of the overarching safeguarding approach.

### **Information and support**

There is a wealth of information available to support schools and colleges to keep children safe online. The following is not exhaustive but should provide a useful starting point:

[www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

[www.disrespectnobody.co.uk](http://www.disrespectnobody.co.uk)

[www.saferinternet.org.uk](http://www.saferinternet.org.uk)

[www.internetmatters.org](http://www.internetmatters.org)

[www.childnet.com/cyberbullying-guidance](http://www.childnet.com/cyberbullying-guidance)

[www.pshe-association.org.uk](http://www.pshe-association.org.uk)

[educateagainsthate.com](http://educateagainsthate.com)

[www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation](http://www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation)



## **Appendix F: Further information on a child missing from education**

All children, regardless of their circumstances, are entitled to a full-time education, which is suitable to their age, ability, aptitude and any special educational needs they may have. There is a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in Jersey. Effective information sharing between parents, schools, colleges and CYPES is critical to ensuring that all children are safe and receiving suitable education.

A child going missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation. School and college staff should follow their procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future.

Schools and colleges should put in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict regions, female genital mutilation and forced marriage or exploitation.

### **Schools**

The law requires all schools to have an admission register and an attendance register. All pupils must be placed on both registers. Schools must place pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the school should consider notifying the Education Directorate at the earliest opportunity to prevent the child from going missing from education.

It is important that the admission register is accurate and kept up to date. Schools should regularly encourage parents to inform them of any changes whenever they occur. This can assist the school and local authority when making enquiries to locate children missing education.

Schools should monitor attendance and address it when it is poor or irregular. All schools must inform the Education Directorate of CYPES of any pupil who fails to attend school.

regularly or has been absent without the school's permission for a continuous period of 10 school days or more.

Where a parent notifies a school that a pupil will live at another address, **all** schools must record in the admission register:

- the full name of the parent with whom the pupil will live;
- the new address; and
- the date from when it is expected the pupil will live at this address.

Consideration and referral to the Children and Families Hub professional referral process should be made if school suspect parents have arranged or agreed to private fostering arrangements.

Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, schools must record this and inform the Education Directorate, School Admissions Team of:

- the name and address of the new school; and
- the date on which the pupil first attended or is due to start attending that school.

Schools must also notify the Education Directorate School Admissions Team when a pupil leaves their school and that changes to school register are being made, they should provide the following information to the Education Directorate Admissions Team at this time:

- the full name of the pupil;
- the full name and address of any parent with whom the pupil lives;
- at least one telephone number of the parent with whom the pupil lives;
- the full name and address of the parent with whom the pupil is going to live, and the date the pupil is expected to start living there, if applicable;
- the name of the pupil's destination school and the pupil's expected start date there, if applicable; and
- the grounds under which the pupil's name is to be deleted from the admission register and;
- Schools should also consider whether it is appropriate to highlight any contextual information of a vulnerable child who is missing education, such as any safeguarding concerns.

It is essential that schools comply with these requirements, in order to identify children of compulsory school age who are missing education, ensure the follow up with any child who might be at risk of not receiving an education and who might be at risk of being harmed, exploited or radicalised.

## College

Where a college is providing education for a child of compulsory school age, the college shall work collaboratively with the Education Directorate in order to share information about the attendance and/or absences of that child as necessary. The college should also inform the Education Directorate immediately if that child is removed from the roll to ensure the identification of children of compulsory school age who are missing education.

## Further information on child sexual exploitation

**Child sexual exploitation** is a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point. Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions;
- Children who associate with other young people involved in exploitation;
- Children who have older boyfriends or girlfriends;
- Children who suffer from sexually transmitted infections or become pregnant;
- Children who suffer from changes in emotional well-being;
- Children who misuse drugs and alcohol;
- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss school or education or do not take part in education.

## **Appendix G: Children staying with host families**

### **Private fostering and educational institutions**

Schools and colleges quite often make arrangements for their children to have learning experiences where, for short periods, the children may be provided with care and accommodation by a host family to which they are not related. This might happen, for example, but not only, as part of a foreign exchange visit or sports tour. Such arrangements could amount to “private fostering” The following paragraphs are not intended to be a comprehensive guide to all the circumstances in which private fostering may arise, but only to those situations which might arise for schools and colleges through the normal course of their activities in promoting learning activities for children.

### **DBS check request by a regulated activity provider**

Where a private fostering arrangement is made by a school or college or a third party (such as a language school) and the school, college or third party has the power to terminate the arrangement, then it could be the regulated activity provider. A regulated activity provider will be committing an offence if they allow a person to carry out a regulated activity whilst barred and they know or have reason to believe that the person was barred. Where the school or college is the regulated activity provider, it should request a DBS enhanced check (which will include barred list information) to help determine their suitability for the arrangement. However, where the parents make the arrangements themselves, this will be a private matter between the child’s parents and the host parents and in these circumstances the school or college will not be the regulated activity provider.

### **Referral to the Children and Families Hub when private fostering is identified**

Where schools and colleges have not been involved in making the arrangement but a member of staff or volunteer at a school or college becomes aware that a pupil may be in a private fostering arrangement, where a child is provided with care and accommodation by someone to whom they are not related in that person’s home, they should raise this in the first instance with the DSL. The school or college should notify the MASH of the circumstances, by making a referral to the Children and Families Hub homepage and professional referral process so checks can be completed to ensure that the arrangement is suitable and safe for the child.

A person who is barred from regulated activity will themselves be committing an offence under the Children Act 1989 and under the Safeguarding Vulnerable Groups Act 2006 if they privately foster a child. If the school or college has any reason to

believe that the third party is failing to undertake a statutory duty, they should notify the police.

Schools and colleges arranging for their pupils to stay with families overseas should be aware that the DBS cannot access criminal records held overseas and parents should be informed of this before any trips. Host families in other countries, therefore, cannot be checked in the same way as schools and colleges in the British Isles. Schools and colleges should work with partner schools abroad to ensure that similar assurances are undertaken prior to a visit. The Education Directorate and schools can contact the relevant foreign embassy or High Commission of the country in question and find out if similar checks can be done in that country.

## **Appendix H: Statutory guidance – regulated activity (children) - Supervision of activity with children that is regulated activity when unsupervised.**

This UK statutory guidance on the supervision of activity with children which is regulated activity when unsupervised is also published separately on [GOV.UK](https://www.gov.uk)

Reasonable in the circumstances: within the statutory duty, the level of supervision may differ, depending on all the circumstances of a case. Organisations should consider the following factors in deciding the specific level of supervision the organisation will require in an individual case:

- Ages of the children, including whether their ages differ widely;
- Number of children that the individual is working with;
- Whether or not other workers are helping to look after the children;
- The nature of the individual's work (or, in a specified place such as a school, the individual's opportunity for contact with children).
- How vulnerable the children are (the more they are, the more an organisation might opt for workers to be in regulated activity).
- How many workers would be supervised by each supervising worker?

In law, an organisation will have no entitlement to do a barred list check on a worker who, because they are supervised, is not in regulated activity.

## Appendix I: Disclosure and Barring Service checks

These are the types of checks available to those working with children:

Type of check	What the check involves	Positions eligible for this level of check
<b>Standard check</b>	Check of the Police National Computer records of convictions, cautions, reprimands and warnings.	The position being applied for must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
<b>Enhanced check</b>	Check of the Police National Computer records <b>plus</b> additional information held by police such as interviews and allegations. Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed.	The position being applied for must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and by provisions in the Police Act 1997 (Criminal Records) Regulations 2002.*
<b>Enhanced criminal record check with children's and/or adult's barred list information</b>	Check of the Police National Computer records <b>plus</b> additional information held by police <b>plus</b> check of the DBS Children's Barred List <b>plus</b> check of the DBS Adults' Barred List.	The position must be eligible for an enhanced level criminal record check as above and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check.

Any individual (including an applicant for a job which does not involve working with children) can be asked to apply for a basic criminal record check. This will just show unspent convictions and cautions. This service is currently provided through Disclosure Scotland.

### CHANGE HISTORY

Version	Date Issued	Issued by	Reason for Change
0.1	August 2021	Head of Inclusion and Designated Safeguarding Lead	

### APPROVAL

Presented To	Approved by:	Date

### ADDITIONAL INFORMATION

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