



CHILD PROTECTION

This guidance is designed to support agreements on child protection procedures outlined in Section 2 & 3 of this manual, the Partnership and Service Agreements

1. Requirements

All children regardless of age, disability, gender, racial heritage, religious belief and sexual orientation or identity have the right to protection from harassment, harm or abuse.

For the purposes of this advice a child is deemed to be any young person up to and including the age of eighteen. Vulnerable adults up to the age of 25 are also included in this definition.

All Learning Providers working with young people therefore have a duty of care to ensure Child Protection policies and procedures are in place and followed by their employees and volunteers.

2. Safeguarding Children and Promoting Welfare

For LEAs and all types of Learning Provider, 'safeguarding' covers more than the contribution made to child protection in relation to individual children. It also encompasses issues such as student health and safety and bullying, about which there are specific statutory requirements, and a range of other issues, for example, arrangements for meeting the medical needs of children with medical conditions, providing first aid, school security, drugs and substance misuse, etc. about which the Secretary of State has issued guidance. There may be other safeguarding issues that are specific to the local area or population.

Advice on these wider aspects of Child Protection can be found in other sections of this manual and in particular:

- Health and Safety
- Transport and Travel
- Attendance
- Complaints Procedure
- Service Agreement
- Partnership Agreement

3. Students in Workplace Placements

When students are working outside the normal school or college setting for more than just a short work experience, they are more vulnerable and therefore great care needs to be taken in order to safeguard them. New guidance from the DfES '*Safeguarding Children*' refers specifically to this situation.

CHILD PROTECTION CHECKLIST

Name: Role: Date:

		Yes	No	Don't know	Action needed
1	Does your school Child Protection Policy cover Work Related Learning Placements and collaborative working off-site with other Learning Providers?				
2	Is the member of staff arranging placements under collaborative education provision aware of the responsibilities of the Local Education Authority Lead Officer for Child Protection?				
3	Is the Learning Base aware that the responsibility to institute CRB checks lies with them as the institution responsible for the child. (This may be through the LEA.)				
4	Is each placement provided suitable for the allocated student in terms of child protection particularly with reference to vulnerable students.				
5	Does your curriculum provision or induction system teach students about Child Protection issues and how to keep themselves safe?				
6	Have all employees in learning placements, likely to be in one-to-one situations on an extended basis with students, been CRB (Criminal Records Bureau) checked at the enhanced level?				
7	Have all drivers who may be in one-to-one situations when transporting students been CRB checked at the enhanced level? e.g. taxi drivers, mini bus drivers				
8	Is there a nominated person within the Learning Provider organisation who will take responsibility for Child Protection?				
9	Has the nominated person for Child Protection received appropriate training?				
10	Have staff who are CRB checked been trained in their responsibilities?				
11	Has the Learning Provider been furnished with appropriate advice documentation to make them aware of Child Protection issues and concerns? e.g. The school Child Protection Policy				

12	Has the Learning Provider been made aware of DfES Circular 10/98 'The Use of Force to Control or Restrain Pupils'?				
13	Has the Learning Provider been made aware of the law on abuse of trust under the Sexual Offences Act 2003 and how this might apply to their staff?				
14	Is the Learning Provider aware that bullying is a Child Protection issue?				
15	Is the Learning Provider aware that Child Protection takes precedence over Data Protection?				
16	Is the employer aware of the dangers to children posed by grooming/bullying via the internet, texting and email?				
17	In the event that Child Protection issues become apparent when a student is on placement, is the Learning Provider aware of the need to contact the Learning Base to seek advice from the member of staff I/C Child Protection?				
18	Is the Learning Provider aware of the ACPC procedures in place in the local authority?				
19	Is the Learning Provider aware that it is not their responsibility to investigate suspected cases of child abuse?				
20	Have all the students undertaking placements where they will be working with children younger than themselves been CRB checked? e.g. nurseries, nursery schools				

*** ACPC Area Child Protection Committee**
CRB Criminal Records Bureau

References

DfES '*Safeguarding Children*' can be found as Appendix 10a and the extract '*Helping Children to Help Themselves*' as Appendix 10b
 Additional information on: www.teachernet.gov.uk/childprotection/guidance.htm

Safeguarding Children

Pupils/Students in Workplace Placements

1. There are occasions when children and young people are placed in settings outside of a normal school setting. This might be as work experience at Key Stage 4, or under the increasing flexibility agenda or alternative provision arrangements. KS 4 work experience arrangements have operated for many years without any problems, and there is comprehensive guidance about those in the publication “Work Experience and the Law” available to order from www.teachernet.gov.uk/childprotection/guidance.htm
2. More recently, however, long term placements for pupils /students undertaking vocational training or studying for vocational qualifications have become more common, and children can be in workplace settings on a regular basis for periods of several months or longer. Children are more vulnerable to abuse or harm in these situations than in short term placements, and therefore child protection arrangements are a relevant concern for longer term placements. Schools/Further Education institutions organising long term placements need to ensure that policies and procedures are in place to protect children and young people from harm, focusing greatest protection on settings in which children may be most at risk, for example when children will be placed for long periods in one to one situations with an adult. Employers and training organisations need to be made aware of safeguarding issues and asked to cooperate in putting appropriate safeguards in place.
3. These new requirements do not apply to short-term extended work experience lasting one term or less, as the amount of time involved is broadly the same as conventional block work experience. For example, it would not normally be necessary to apply additional safeguards for a placement of, say 10 weeks for half a day or a day per week for students on an Increased Flexibility or Applied GCSE programme (unless any of the conditions set out in paragraph 4 below apply).
4. **Additional safeguards will be necessary for other placements that are in the same workplace when one or more of the following conditions apply. The placement is:**
 - a for more than one day per week;
 - b for longer than one term in any academic year;
 - c aimed at children who may be vulnerable, e.g. those who have special needs or are young (aged under 16);
 - d one where the workplace supervisor or a colleague will have substantial unsupervised access to the child, because of the nature of the business (i.e. micro business, sole trader or journeyman); or

- e has a residential component.
5. If any of the conditions in paragraph 4 apply, the following safeguards should be in place:
- a Staff of the Local Education Authority, school, or Further Education institution who arrange, vet, or monitor work placements should have had training in child protection;
 - b Training organisations or employers taking responsibility for a child or children on a long term placement should be asked to make a commitment to safeguarding their welfare by endorsing an agreed child protection policy or statement of principles.
 - c **Any person whose normal duties will include regularly caring for, training, looking after or supervising a child in the workplace should be vetted and subject to Criminal Record Bureau checks to ensure s/he is not disqualified from working with children or otherwise unsuitable to be responsible for them.** N.B. this should not include people who will have contact with the child simply because s/he will be in the same location, or as part of their work. It is intended to apply to people who are specifically designated to have responsibility for looking after, supervising or directly training a child or children throughout the placement. Checks should normally be arranged by the organisation arranging the placement, through the Local Education Authority, school or Further Education institution, and the person should be regarded as a volunteer for the purpose of the check.
 - d That person should also be given basic child protection training to be aware of their responsibilities in accordance with “What To Do If You’re Worried A Child Is Being Abused”. They should be given details of a person to contact in the event that there are any concerns about a child for whom they are responsible.
 - e The children who are placed in these settings should also be given clear advice about who to contact if they are worried or uncomfortable about their surroundings or if they suffer abuse. They should have a continuing point of regular contact within the school or Further Education institution and be given opportunities to raise any concerns they may have.
 - f School/Further Education institution/Local Education Authority policies and procedures should define what actions need to be taken by whom and when if any child protection issues are raised prior, during or after the placement.
 - g In some cases it is also important to ensure that the child/student concerned is suitable for the placement (for example, when placing children in environments involving them working with younger children)

and in some circumstances Criminal Records Bureau checks may be required. N.B. Criminal Records Bureau checks would not be appropriate for students taking Applied GCSE in Health and Social Care.

6. Further information about the increased flexibility programme for 14 – 16 year olds, and guidance about vetting people working with children, is available at: www.teachernet.gov.uk/childprotection/guidance.htm

Abuse of Trust.

7. All education staff need to know that inappropriate behaviour with or towards children is unacceptable. In particular, under the Sexual Offences Act 2003 it is an offence for a person over 18 (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if he/she does not teach the child. Further information can be found at: www.teachernet.gov.uk/childprotection/guidance.htm

Physical Contact with Pupils/Restraint.

8. It is not realistic to suggest that teachers should never touch pupils, and they, and other staff in schools, have the right to use reasonable force to control or restrain pupils in certain circumstances. Guidance about this can be found in DfES Circular 10/98 The Use of Force to Control or Restrain Pupils at: www.teachernet.gov.uk/childprotection/guidance.htm
9. Additional guidance for Local Education Authorities and special schools on the use of restrictive physical interventions with children who display extreme behaviour is contained in DfES documents LEA/0242/2002 “Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders”, and LEA/0264/2003 “Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties”. These can be found at: www.teachernet.gov.uk/childprotection/guidance.htm

CRB Checks

Where a student is on placement at a Learning Provider, other than a school or college, there may be a need to institute a CRB check.

Appendix 10a outlines where such a check is needed.

- Placement organisers are required to make a judgement in each case as to whether someone meets the criteria for a CRB check.
- Eligibility for CRB checks is governed by the law and only those people who meet defined criteria can be checked.
- People will be eligible for CRB checks if ‘they re in a position the normal duties of which include regularly caring for, training, supervising or being in sole charge of a child.’
- This does not mean that every person coming into contact with the child in the placement must be CRB checked.
- CRB checks are generally not required for visits, short term placements or where students are not in one to one contacts with one person on a regular basis.
- The responsibility for the CRB check should lie with the Learning Base as the institution responsible for the child.
- The results of the check will be sent to the individual with a copy to the Learning Base/LEA. A criminal record per se will not necessarily debar someone from taking on a role with children. The Learning Base will consider any information revealed by the check and judge a person’s suitability in the same way as for any other prospective member of staff or volunteer. It is the Learning Base that is responsible for the child that must access any information revealed by a check and make the decision about the person’s suitability.
- Where Learning Provider employees claim to have an up to date CRB clearance and will be working one to one with a student, the certificate should be checked by the placement organiser.

Payment for CRB checks.

The position regarding payment for CRB checks is confusing with conflicting advice.

The following position has been checked with CRB and reflects their opinion on this matter at this time.

CRB checks will incur a fee when the task of supervising or mentoring students is part of the normal duties of the employee and therefore paid employment.

Where the duties are extra to the paid employment and therefore not remunerated, but voluntary, the CRB check is free of charge.

Standard Disclosure £29 or Enhanced Disclosure £34.

Instituting CRB Checks, Wolverhampton Schools Only.



- During the negotiation with the Learning Provider to set up the student placement, the member of staff responsible decides whether the student's working regime requires a CRB check to be made on any Learning Provider member of staff.
- Permission for the check to be sought from the member of staff.
- Disclosure Application Form sent to member of staff by the placement organiser. This must be an original form identified by a unique number, **not a photocopy.**
- Evidence of identity checked and confirmed by senior member of Learning Provider institution.
- Completed form checked carefully by placement organiser before being sent to LEA (Civic Centre) for processing along with school information sheet.

(Incomplete forms or those with mistakes will have to be resubmitted and CRB clearance may be late if care is not taken at this point.)

- LEA informs school of result of check.
- School decides whether to go ahead with placement or renegotiate with Learning Provider.

Helping Children to Help Themselves

Educating Children About Issues (Personal Social Health Education)

1. It is important to make children and young people aware of behaviour towards them that is not acceptable and how they can help keep themselves safe. The non-statutory framework for Personal, Social and Health Education (PSHE) provides opportunities for children and young people to learn about keeping safe; and who to ask for help if their safety is threatened. As part of developing a healthy, safer lifestyle pupils should be taught, for example:
 - a To recognise and manage risks in different situations and then decide how to behave responsibly;
 - b To judge what kind of physical contact is acceptable and unacceptable;
 - c To recognise when pressure from others (including people they know) threatens their personal safety and well-being and develop effective ways of resisting pressure; including knowing when and where to get help;
 - d To use assertiveness techniques to resist unhelpful pressure.
2. Issues such as domestic violence and abuse can be difficult to broach directly in the classroom. However, discussions about personal safety and keeping safe can reinforce the message that any kind of violence is unacceptable; let children and young people know that it is okay to talk about their own problems; and signpost sources of help. Raising these issues can lead children to bring up personal problems and concerns and staff delivering lessons on these subjects need to be prepared for that possibility.
3. Links to more information about Personal Social Health Education, classroom resources and sources of support, are available at:
www.teachernet.gov.uk/childprotection/guidance.htm