



THE GRAMMAR SCHOOL
HIPPERHOLME
Established 1648

Child Protection Policy

September 2010

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CHILD PROTECTION POLICY

1 Policy Statement

1.1 This policy has been authorised by the Governors, is addressed to all members of staff and volunteers, is available to parents on request and is published on the School website. It applies wherever staff or volunteers are working with pupils even where this is away from the School, for example at an activity centre or on an educational visit. It also applies to the Early Years Foundation Stage (EYFS) provision.

1.2 Every pupil should feel safe and protected from any form of abuse which, in this policy, means any kind of neglect, non-accidental physical injury, sexual exploitation or emotional ill-treatment.

1.3 Hipperholme Grammar School Foundation (School) is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The School will take all reasonable measures to:

- ensure that we practise Safer Recruitment in checking the suitability of staff and volunteers, including staff employed by another organisation, to work with children and young people in accordance with the guidance given in Safeguarding Children and Safer Recruitment in Education, the Education (Independent School Standards) (England) Regulations 2003 as amended
- respond to requests from the ISA for information the School holds in relation to a child protection matter
- ensure that we carry out all necessary checks on the suitability of people who serve on the School's governing body in accordance with the above regulations and guidance given in Safeguarding Children and Safer Recruitment in Education
- ensure that where the School ceases to use the services of any person, whether employed, contracted, a volunteer or student, because that person was considered unsuitable to work with children, a prompt and detailed report is made to the Independent Safeguarding Authority (ISA)
- ensure that where staff from another organisation are working with our pupils on another site, we have received assurances that appropriate child protection checks and procedures apply to those staff follow the local inter-agency procedures of the Calderdale Safeguarding Children Board;
- provide appropriate child protection training every three years to school staff, the Headmaster, and Governors.
- provide appropriate training for Designated Persons every two years to ensure that their skills and expertise are up to date.
- all staff undergo some initial training in child protection during the induction programme for new teachers and support staff.
- protect each pupil from any form of abuse, whether from an adult or another pupil
- be alert to signs of abuse both in the School and from outside
- deal appropriately with every suspicion or complaint of abuse

- design and operate procedures which promote this policy
- design and operate procedures which, so far as possible, ensure that teachers and others who are innocent are not prejudiced by false allegations
- support children who have been abused in accordance with his / her agreed child protection plan
- be alert to the medical needs of children with medical conditions
- operate robust and sensible health & safety procedures
- take all practicable steps to ensure that School premises are as secure as circumstances permit
- operate clear and supportive policies on drugs, alcohol and substance misuse
- consider and develop procedures to deal with any other safeguarding issues which may be specific to individual children in our School or in our local area
- have regard to guidance issued by the Department for Education (DFE) in accordance with section 157 of the Education Act 2002 and associated regulations

1.4 Every complaint or suspicion of abuse from within or outside the School will be taken seriously and in all proper circumstances will be referred to an external agency such as the social services department of the local authority (SSD), the child protection unit of the police (CPU) or the NSPCC. In each case, the matter should be referred to the Local Authority Designated Officer (LADO) for Calderdale. The LADO is contactable also on 01422 393296 or 07920 758455.

1.5 We involve parents and other professionals in the community in the personal safety programme.

We inform parents/carers (by publishing a statement in the School prospectus and in the first termly newsletter) that the staff are required by law to follow the procedures laid down by the Local Safeguarding Children Board (LSCB). The statement reads as follows:

"The School is committed to promoting the health and welfare of all pupils and if staff see signs which suggest that one of the pupils may have been the victim of abuse, staff will (as is required by law) follow the procedures laid down by the Local Safeguarding Children Board. Such action in no way infers that any parent/carer or other individual is being accused of wrongdoing. A full version of the School's Child Protection policy is available upon request."

2 The Designated Persons

2.1 The School has appointed senior members of staff with the necessary status and authority, Designated Persons, to be responsible for matters relating to child protection and welfare. The main responsibilities of the Designated Persons are:

- to be the first point of contact for parents, pupils, teaching and non-teaching staff and external agencies in all matters of child protection
- to co-ordinate the child protection procedures in the School;

- to maintain an ongoing training programme for all School employees and to make all part time and voluntary staff aware of the School's arrangements for child protection;
- to monitor the keeping, confidentiality and storage of records in relation to child protection
- to liaise with the child protection officer appointed by the SSD Local Authority Designated Officer
- to monitor records of pupils in the School on the Child Protection Register (CPR) to ensure that this is maintained and updated as notification is received;
- to liaise with other professionals to ensure that children on the CPR are monitored;
- where appropriate, to take part in the child protection conferences or reviews;
- to inform the SSD in writing when a child on the CPR moves to another school and to inform the new school of the child's status on the CPR.
- to provide all members of staff with the latest version of DFE Guidance as this becomes available.

2.2 The Designated Person for The Junior School site is Mrs Louise Reynolds, Headteacher, who may be contacted on 01422 201330. Mrs Reynolds is also the Designated Person for the Early Years Foundation Stage. The Designated Person for The Senior School is Mrs Jackie Griffiths, Deputy Headteacher, who may be contacted on 01422 202256.

The Designated Persons will:

- advise and act upon all suspicion, belief and evidence of abuse reported to her
- keep the Headmaster informed of all actions unless the Headmaster is the subject of a complaint. In this situation, the Designated Person should consult with Mr Chris Redfearn, Chair of Governors, or, in his absence, Mr Richard Snowball, the deputy Chair of Governors
- liaise with the SSD and other agencies on behalf of the School.

2.3 If a Designated Person is unavailable or is herself the subject of a complaint, her duties will be carried out by the Headmaster or another senior teacher, who has received appropriate training.

2.4 The Designated Persons have undertaken appropriate training provided by Calderdale Safeguarding Children Board to be the Designated Person for the School and training in inter-agency working and will attend refresher training at two yearly intervals.

3 Types of abuse

3.1 Abuse can be:

- physical abuse, for example beating or punching;
- emotional abuse, for example rejection and denial of affection;
- sexual abuse, for example sexual assault or encouraging a child to view pornographic material;
- neglect, for example failure to provide appropriate care including warmth or medical attention.

4 Signs of abuse

4.1 Possible signs of abuse include (but are not limited to):

- the pupil says s/he has been abused or asks a question which gives rise to that inference
- there is no reasonable or consistent explanation for a pupil's injury;
- the injury is unusual in kind or location;
- there have been a number of injuries;
- there is a pattern to the injuries the pupil's behaviour stands out from the group as either being extreme model behaviour or extremely challenging behaviour; or there is a sudden change in the pupil's behaviour
- the pupil asks to drop subjects with a particular teacher and seems reluctant to discuss the reasons
- the pupil's development is delayed
- the pupil loses or gains weight
- the pupil appears neglected, e.g. dirty, hungry, inadequately clothed
- the pupil is reluctant to go home, or has been openly rejected by his / her parents or carers

5 Duty of employees, governors and volunteers

5.1 Every full time and part time employee and governor of the School as well as every volunteer member of staff who assists the School are under a general legal duty: to protect children from abuse to be aware of the School's child protection procedures and guidance issued by the School and to follow them to know how to access and implement the procedures, independently if necessary to keep a sufficient record of any significant complaint, conversation or event to report any matters of concern to the Designated Person to undertake appropriate training including refresher training at three-yearly intervals

5.2 **Whistleblowing:** All staff are required to report to the Headmaster or in his absence the Chair of Governors, any concern or allegations about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm. In exceptional cases such reports should be made to Ofsted. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith.

6 Procedures

- 6.1 **Initial complaint:** A member of staff suspecting or hearing a complaint of abuse:
- must listen carefully to the child and keep an open mind. Staff should not take a decision as to whether or not the abuse has taken place
 - must not ask leading questions, that is, a question which suggests its own answer

- must reassure the child but not give a guarantee of absolute confidentiality. The member of staff should explain that they need to pass the information to the Designated Person who will ensure that the correct action is taken
- must keep a sufficient written record of the conversation. The record should include the date, time and place of the conversation and the essence of what was said and done by whom and in whose presence. The record should be signed by the person making it and should use names, not initials. The record must be kept securely and handed to the Designated Person.

6.2 **Preserving evidence:** All evidence, for example, scribbled notes, mobile phones containing text messages, clothing, or computers, must be safeguarded and preserved.

6.3 **Reporting:** All suspicion or complaints of abuse must be reported to the Designated Person, or if the complaint involves the Designated Person, to the Headmaster.

6.4 **Action by the Designated Person:** The action to be taken will take into account:

- the local inter-agency procedures of the Calderdale Safeguarding Children Board,
- the nature and seriousness of the suspicion or complaint. A complaint involving a serious criminal offence will always be referred to the SSD or the police without further investigation within the School
- the wishes of the pupil who has complained, provided that the pupil is of sufficient understanding and maturity and properly informed. However, there may be times when the situation is so serious that decisions may need to be taken, after all appropriate consultation, that override a pupil's wishes
- the wishes of the complainant's parents, provided they have no interest which is in conflict with the pupil's best interests and that they are properly informed. Again, it may be necessary, after all appropriate consultation, to override parental wishes in some circumstances. If the Designated Person is concerned that disclosing information to parents would put a child at risk, he or she will take further advice from the relevant professionals before making a decision to disclose
- duties of confidentiality, so far as applicable
- the lawful rights and interests of the School community as a whole including its employees and its insurers
- if there is room for doubt as to whether a referral should be made, the Designated Person may consult with the Local Authority Designated Officer or other appropriate professionals on a no names basis without identifying the family. However, as soon as sufficient concern exists that a child may be at risk of significant harm, a referral will be made without delay. If the initial referral is made by telephone, the Designated Person will confirm the referral in writing to SSD within 24 hours. If no response or acknowledgment is received within three working days, the Designated Person will contact Social Services again.

6.5 **Referral guidelines:** A referral to the SSD or police will not normally be made where:

- the complaint does not involve a serious criminal offence; and
- a referral would be contrary to the wishes of a pupil complainant who is of sufficient maturity and understanding and properly informed, and contrary also to the wishes of the complainant's parents; and
- the case is one that can be satisfactorily investigated and dealt with under the School's internal procedures, the parents being kept fully informed, as appropriate.

However, if during the course of the internal procedures, it appears that the situation is more serious, the Designated Person will again consider whether a referral should be made in accordance with paragraph 6.4 above.

6.6 External agencies: Whether or not the School decides to refer a particular complaint to the SSD or the police, the parents and pupil will be informed in writing of their right to make their own complaint or referral to the Social Services Department or the Child Protection Unit of the police and will be provided with contact names, addresses and telephone numbers, as appropriate.

6.7 Allegations against staff: The School has procedures for dealing with allegations against staff and volunteers who work with children that aim to strike a balance between the need to protect children from abuse and the need to protect staff and volunteers from false or unfounded allegations. These procedures follow the guidance in chapter 5 of Safeguarding Children and Safer Recruitment in Education.

Suspension will not be an automatic response to an allegation. Full consideration will be given to all the options, subject to the need to ensure:

- the safety and welfare of the pupils or pupil concerned; and
- the need for a full and fair investigation.

However, if appropriate, the Designated Person may seek alternative accommodation for boarding staff in the event of an investigation.

Where an allegation or complaint is made against the Designated Person or any other member of staff or a volunteer, the matter should be reported immediately to the Headmaster.

Where an allegation or complaint is made against the Headmaster, the person receiving the allegation should immediately inform the Chair of Governors, or in his absence the Deputy Chair, without first notifying the Headmaster.

If the School ceases to use the services of a member of staff, a Governor or a volunteer because they are unsuitable to work with children, a compromise agreement will not be used and there will be a prompt and detailed report to the Independent Safeguarding Authority (ISA). Any such report will be made to the ISA within one month of the date on which the person ceased to be employed by the School.

The matter will be followed by a review of the safeguarding procedures within the School, with a report being presented to the Governors without delay.

6.8 **Early Years:** The School will inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children on the School premises, whether that allegation relates to harm or abuse committed on the premises or elsewhere, or any other abuse which is alleged to have taken place on the premises and of the action taken in respect of those allegations. The School will inform Ofsted of these allegations as soon as reasonably practicable but in any event within 14 days of the allegations being made.

The practitioner with responsibility for safeguarding in the Early Years setting is the Designated Person, Mrs Louise Reynolds.

6.9 **Allegations against pupils:** A pupil against whom an allegation of abuse has been made may be suspended from the School during the investigation and the School's policy on behaviour, discipline and sanctions will apply. The School will take advice from the Local Authority Designated Officer (LADO) on the investigation of such allegations and will take all appropriate action to ensure the safety and welfare of all pupils involved including the pupil or pupils accused of abuse. If it is necessary for a pupil to be interviewed by the police in relation to allegations of abuse, the School will ensure that, subject to the advice of the LADO, parents are informed as soon as possible and that the pupil is supported during the interview by an appropriate adult. In the case of pupils whose parents are abroad, the pupil's Education Guardian will be requested to provide support to the pupil and to accommodate him/her if it is necessary to suspend him/her during the investigation.

6.10 **Suspected harm from outside the School:** A member of staff who suspects that a pupil is suffering harm from outside the School should seek information from the child with tact and sympathy using "open" and not leading questions. A sufficient record should be made of the conversation and if the member of staff continues to be concerned he or she should refer the matter to the Designated Person.

7 **Advice, Answering Questions & Confidentiality**

7.1 Staff often become initially aware of the possibility of abuse occurring when they are asked for advice/questioned by children in a confidential manner. Having considered current statutes relating to a teacher's professional responsibilities, and a desire to protect staff, the Governing body have issued the following statement/directive.

N.B. Failure of staff to adhere to this statement may constitute grounds for disciplinary action.

7.2 **Working With Sexually Active Children**

7.2.1 *Children Under the Age of 13*

The Sexual Offences Act 2003 states that children under 13 are cannot legally **give informed consent** to sexual activity. Therefore, when working with children under 13 staff must ensure that they have taken all reasonable steps to protect the child's welfare and prevent them from harm by complying with the School and LSCB child

protection policies and procedures. In all such cases referral should be made to the Children's Social Care who will undertake a full assessment.

N.B. When a girl under 13 is pregnant the referral to the Children's Social Care will result in a multi agency support package being set up to support the girl and her family.

7.2.2 Children between 13 and 16

The Sexual Offences Act 2003 acknowledges that mutually agreed, non-exploitative sexual activity between teenagers does occur and that often no harm comes from it. Those aged 13-16 are still vulnerable and referral should still be made to the Children's Social Care who will consider the ages and age gap of those involved, assess the level of risk and decide if 'significant harm to the child has, or might occur'.

7.2.3 Young People between 16 and 18

Although sexual activity over the age of 16 is **legal**, those under 18 are **still entitled to protection** under the Children Act 1989. Those over 16 should not be exploited in any way or made to have sex against their will.

Young people over the age of 16 and under the age of 18 are not deemed able to give consent if the sexual activity is with an adult in a position of trust (such as a teacher) or a family member as defined by Section 27 of the Sexual Offences Act 2003. Again, where there is a risk that significant harm to the young person has, or might occur referral should still be made to the Children's Social Care.

7.3 Offering Advice:

The Governors and staff believe that the School's function is to provide a general education about sexual, drug and other matters and not to offer individual advice, information or counselling on aspects of sexual behaviour, contraception or social behaviour. However staff may identify sources of professional information and advice when appropriate. If the offering of outside expert advice is not taken up, then a teacher may only give such advice after receiving written permission from the Headmaster and the parents/guardians - clearly this would not be done if the pupil did not wish it. Advice does not legally require consent but the following procedure protects the teacher and the pupil, and acknowledges that teachers may not be qualified to give the required advice.

If a pupil asks a teacher for advice on sexual matters, the teacher must not trespass on the parents' rights and responsibilities. Therefore, the teacher should encourage the pupil to seek advice from his or her parents and, if appropriate, from the relevant health service professional.

Teachers cannot:

- give personal advice or counselling on sexual matters (including contraception and abortion) to a pupil (either individually or within a group) if a parent has withdrawn that pupil from sex education;

- give personal contraceptive advice to pupils under 16 (for whom sexual intercourse is illegal) without parental consent. Legally a teacher can give a child under 16 contraceptive advice if the teacher believes that doing so is in the child's best interests. However, in certain circumstances the teacher could be liable to criminal charges and therefore the Governors' instructions are not to give such advice and to refer the matter to the Headmaster.

Teachers can:

- provide pupils with education and information about where and from whom they can receive confidential sexual advice and treatment, e.g. school nurse, their GP or Brook Advisory Centre.

7.4 Confidentiality:

Having considered all available advice and guidance, the Governors and Headmaster state that in circumstances where a pupil is considered at some risk of any type of abuse (e.g. sexual or physical) or in breach of the law, the teacher must refer this immediately in writing to the Designated Person in compliance with the LSCB procedures for Child Protection. The Designated Person will decide whether to inform the parents and/or appropriate authorities and may arrange for counselling as appropriate. Although there is no legal duty on a teacher, or a Designated Person, to inform parents of matters which a child has confided to them:

- teachers must not promise confidentiality even though they cannot be made to break it once given;
- pupils must be made aware that any incident may be conveyed to the Designated Person and possibly to parents;
- teachers must use their professional judgement and take into account the School's Child Protection policy to decide whether confidence can be maintained having heard the information;
- teachers must indicate clearly to pupils when the content of a conversation can no longer be kept confidential - the pupil can then decide whether to proceed or not. When the content of the conversation indicates the possibility of child abuse, the teacher must pass that information onto the Designated Person in accordance with the School policy on Child Protection.
- In all cases, if the Designated Person is not available, the matter should be referred immediately to the Headmaster.

7 Other related policies

7.1 Physical Intervention

Details of permitted physical intervention by staff are set out in the School's Policy on the Restraint of Pupils and are reviewed periodically by the School Governors. We acknowledge that staff must only ever use physical intervention as a last resort, and that at all times it must be the minimum force necessary to prevent injury to themselves, another person or property.

7.2 Bullying and Racist Incidents

Our policy on bullying is set out in a separate document, the School's Anti Bullying Policy. The Policy includes racist incidents within the definition of bullying. We

acknowledge that to allow or condone bullying may itself raise child protection issues. We also acknowledge that repeated racist incidents or a single serious incident may raise child protection issues.

7.3 Health & Safety and Educational Visits

Our Health and Safety policy is set out in a separate document. It reflects the consideration we give to the protection of our children both within the School environment and when away from the School when undertaking School trips and visits. The School also has a separate Policy on Out of School Trips, Tours and Visits.

8 Monitoring

8.1 The Designated Persons will monitor the operation of this policy and its procedures and make an annual report to the Governors.

8.2 The Governors will undertake an annual review of this policy and how their duties under it have been discharged.

8.3 The Governors will ensure that any deficiencies or weaknesses in regard to child protection arrangements are remedied without delay.

9 Contact numbers

9.1 The telephone numbers of the Calderdale Safeguarding Children Board are as follows:

Safeguarding Unit
Calderdale Safeguarding Children Board
Northgate House, 3rd Floor
Northgate
Halifax
HX1 1UN

Initial Response Team: 01422 353279

Emergency Duty Team (out of hours): 01422 365101

If the above numbers fail to answer, dial 999 in emergency.

9.2 The following telephone numbers may be useful for pupils:

Childline 0800 1111

NSPCC 0808 800 5000

10 Evaluation of Child Protection Policy and Procedures

10.1 The School is keen to ensure the effective monitoring and evaluation of all Child Protection issues, which is dependent upon the maintenance of accurate and up to date records. The criteria by which the monitoring and evaluation of the Child Protection Policy and Procedures are undertaken are described below:

Parents

1. any pertinent feedback from parents/guardians/carers;
2. regular updating of the information pack for parents in the annual policy review;

N.B. The School's annual report will contain a report of the effectiveness of provision and any amendments made or proposed over the year to our Child Protection policy. Parents are encouraged to offer their views on Child Protection issues annually through questionnaire surveys and their views are conveyed to the Governing Body.

Pupils

3. any pertinent feedback from pupils;
4. the number of pupils on the child protection register;
5. the number of referrals made by staff to the Headmaster/Designated Person;
6. the number of referrals made by the Headmaster/Designated Person to Social Services;
7. numbers of pupils on the register who pursue education after the age of 16;
8. routine examination by the Governors (Designated Governor) of anonymous individual case studies;

Staff/Inset

9. involvement by all staff in INSET courses relating to Child Protection issues;
10. the amounts of the budget allocated to training for Child Protection issues;

Planning

11. reference to the aims of this policy when curricular planning occurs;
12. analysis and publication of Ofsted / HMI / ISI reports.

Mr C R Redfearn
Chairman of Governors
Hipperholme Grammar School Foundation

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