

PROTECTING CHILDREN – A SHARED RESPONSIBIITY

Guidance for Education Authorities, Independent Schools, School Staff and all others working with children in an education context in Scotland

Date

Ministerial Preface

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INTRODUCTION

For children to be effectively protected it is essential that everyone accepts responsibility for the welfare of children. For this to be effective within education, it means that everyone must be aware of child protection arrangements, alert to the needs of children and clear about their own contributions to the system. This applies equally to state and privately funded education and **all** who work within these systems, whether providing nursery, primary, secondary or special education, and to those involved in holiday and out of school provision. This guidance is designed to highlight the roles and responsibilities of all those working within education in relation to the welfare and protection of children and young people.

CHAPTER 1: BACKGROUND

Child Abuse

1. Children may be harmed, either suddenly or over a longer period of time, by abuse or neglect which may take a number of different forms. Fuller explanation of these terms and ways in which abuse may be recognised is given in Appendix 1.
 - Physical injury
 - Sexual abuse
 - Non-organic failure to thrive
 - Emotional abuse
 - Physical Neglect
2. These may occur singly or in a combination of different types against one child or a group of children. Sometimes not all children in a family will be affected.
3. There is no commonly accepted view of how much child abuse happens, or how it has changed over time. Child abuse may present as a serious physical injury, after a sexual assault or following the revelation of abusive activities which have been going on for a long time in secret. However, education staff are in a position to notice more subtle signs and symptoms which may be indicative of abuse: for example in the way children work or play or in changes in their relationships with their peers and teachers. Concerns about possible child abuse may be shared with education staff by a parent, by other parents or children, members of the extended family or neighbours. Schools may also be informed of concerns by health visitors, police, social workers or youth workers.
4. The abusers may be adult members of the family, siblings, carers, adult friends, teachers, youth leaders, other children or strangers. Sometimes abusers may be part of a network. Staff should remember that the overriding characteristic of abusers is their apparent normality. Risk factors include domestic violence, unstable parental relationships, parental misuse of drugs or alcohol or mental illness of a parent.
5. Children and young people may require protection as a result of their own actions. These may include:
 - inappropriate use of computers;
 - ill judged relationships;
 - inappropriate social behaviour such as bullying;
 - misuse of drugs or alcohol;
 - sexually explicit language or behaviour
 - eating disorders
 - self-harming; and
 - running away.
6. Schools have a key role to play in
 - promoting safety,

- providing pupils with the knowledge, skills and values they need to choose and maintain a healthy lifestyle;
- providing pupils with information about risky behaviour;
- identifying potentially vulnerable pupils, often with low self esteem, and ensuring that they are suitably monitored and supported;
- increasing knowledge and understanding of childcare and parenting; and
- giving pupils access to information about child welfare services such as ChildLine or the Anti-Bullying Network.

The United Nations Convention on the Rights of the Child

7. The Scottish Executive is committed to the principles set out under the UN Convention on the Rights of the Child and the European Convention on Human Rights ratified by the UK Government in 1991. These are:

- each child has the right to be treated as an individual;
- each child who can form his or her own views on matters affecting him or her has the right to express those views if he or she wishes;
- the child's views should be taken into account where decisions are made about his or her future;
- each child has the right to protection from all forms of abuse, neglect or exploitation;
- parents should normally be responsible for the upbringing of children and should share that responsibility;
- in decisions relating to protection of children, every effort should be made to keep the child in the family home, providing that this is consistent with the child's welfare;
- any intervention by a public authority should be properly justified, and should be supported by services from all relevant agencies working in collaboration.

The Children (Scotland)Act 1995

8. The Children (Scotland) Act 1995 altered the traditional concept of parents having rights over their children to one where both parents (even when separated or divorced) have responsibilities towards their children. The Act states that children must be consulted, and their wishes and views taken into account whenever major decisions are being taken which may affect them. However, taking children's views into account does not mean that adults must do what the child wants. Judgements must be made which take account of the child's views in the broader context of their age, understanding and vulnerability, the views of those who may have parental responsibilities or rights, and other known facts and experience. Within the context of child protection, a child cannot be given a guarantee of confidentiality even if s/he expresses such a wish.

9. Local authorities have a legal duty to safeguard and promote the welfare of children in need in their area. This charge is undertaken by the department with responsibility for social work services. Education, in common with health services, the police and other departments and agencies, also has significant responsibilities for the protection of children.
10. The 1995 Act defines a 'child' as a person below the age of sixteen and, for certain purposes, may also include a person up to the age of eighteen.
- Local authorities have responsibilities to support children and their families until the 'child' is 18.
 - Where local authorities have been allocated parental responsibilities by a court order, these responsibilities last until the young person is 18.
 - Young people between 16 and 18 who are subject to a Children's Hearing supervision requirement are considered children.
 - Boarding Schools have a welfare duty for young people between 16 and 18 in their charge or care.
 - In all issues of child abuse, child protection procedures may be extended to cover children with special needs (mental or physical disability) until the age of 18.
11. The Protection of Children (Scotland) Act 2003 covers children up to the age of 18.
12. Therefore education staff have some responsibilities for the welfare and protection of all young people to the age of 16, and for some to the age of 18, particularly those who are 'looked after', subject to supervision arrangements, or have special needs.
13. In relation to issues of child abuse, the implications of the Children (Scotland) Act for education staff are that:
- the child's welfare and protection receives priority;
 - staff working with children at risk should help the child to express his or her views and should take these into account when making decisions about what to do next;
 - in most instances,¹ parents, who have legal responsibilities and rights in respect of their children, should be informed of concerns, encouraged to participate in discussion about the child(ren)'s needs, and kept informed of actions being taken.

¹ There may be cases where, in order to ensure a child's safety, the local authority, the police or another agency must act without parental consent or participation, and in limited circumstances, without the parents' knowledge.

The European Convention on Human Rights (ECHR)

14. The European Convention on Human Rights (ECHR) was introduced in Scotland through the Scotland Act 1998, and then directly enacted through the Human Rights Act of 1998. Article 8 of the ECHR states that:

- Everyone has the right to respect for his private and family life, his home and his correspondence.
- There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety, or the economic well being of the country, for the prevention of disorder and crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

15. Although there have been concerns that, as a result of Article 8, child protection measures will be interpreted as an illegitimate interference in the private and family life of the parents, this Article also applies to children themselves. Concern for the private life of the child (including the right to physical and moral integrity) may be the basis for interference in the child's (as well as the adults') family life. This means that child protection concerns may arise:

- as a positive obligation deriving from the child's right to a private life under article 8.1
- as a justification for interfering in family life under article 8.2.

Child Protection procedures

16. Where an individual or agency has reasonable cause to suspect or believe that a child is at risk of significant harm and so in need of protection, there is responsibility to refer the child to the agencies charged with investigating child abuse – police and/or social work and/or to the Reporter. The police have a statutory duty to investigate cases of child abuse, and social work services have a responsibility to make enquiries about child abuse or neglect. The Reporter may be involved either directly by the referrer, or through social work when it is believed that compulsory measures of supervision may be necessary. The full criteria for referral to the Reporter are set out in Appendix 2. However, school staff should note that in most instances their direct line of referral should be to social work services, who will involve the police and contact the Reporter when deemed necessary. The police should be contacted directly if an actual instance of violence is taking place or is threatened on the school premises, grounds or immediate vicinity of the school.

17. Local authorities have a duty to make enquiries about the circumstances of children referred to them in order to determine

- if they are in need,
- if compulsory measures of supervision may be necessary or

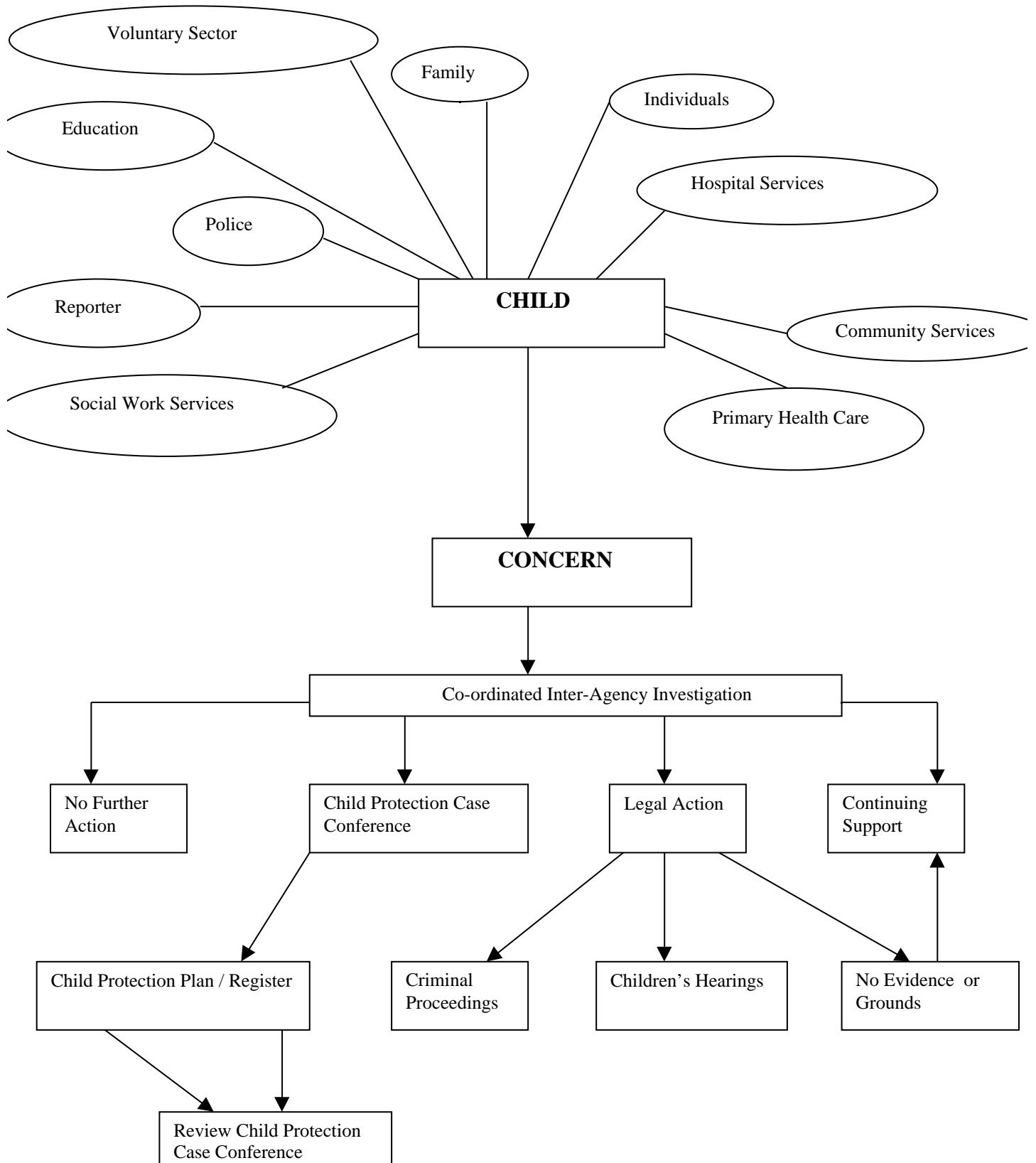
- if a child protection or an exclusion order is needed for their protection. They will also need to make enquiries in order to complete an assessment of need.

18. On the basis of the information gathered, social work services will decide whether there is need for a multi- agency plan to support the child. If so, a multi-agency Case Conference will be called, at which a decision will be taken whether or not to place the child's name on the Child Protection Register (CPR)². Generally the parents of the child will also attend. When a child's name has been placed on the CPR, the agencies will agree together with the parent(s) a plan of action to support and protect that child, and may form a core group to implement the plan of action. The retention of the child's name on the CPR will be reviewed regularly, initially after 3 months, and thereafter at not more than six monthly intervals. The child's name will be removed when it is judged that the risk to the child has been eliminated or significantly reduced. It should be noted, however, that the child may continue to need support even after s/he has been de-registered.

19. When the Reporter receives a referral s/he will similarly make a decision as to whether the referral requires further action. If so s/he will gather information from the individuals or agencies considered relevant, including the child's school. At that stage one of three decisions may be made – to take no further action, to refer the child to social work services for voluntary measures of supervision, or to refer the case to the Children's Hearing. At the Children's Hearing, panel members will listen to the evidence and interview both the child and other family members before reaching a decision on what action if any will best meet the needs of the child. At the one extreme, they may decide that no further action is necessary, at the other, the child may be removed from his/her home into the care of the local authority. Where either the child or the parents dispute the grounds for the referral, or where the child does not understand or is incapable of understanding the grounds of referral, the case may be directed to the Sheriff for a proof hearing prior to it being heard by panel members. The Sheriff will consider the evidence and make a decision as to whether there are adequate reasons for the case to be heard.

² The CPR is a register maintained by local authorities, of all children who are subject of an inter-agency child protection plan. Registration is an administrative system for alerting workers to the fact that there is sufficient professional concern about a child to warrant an inter-agency child protection plan, and ensures that the plans for these children are formally reviewed at least every 6 months.

AN OVERVIEW OF THE CHILD PROTECTION PROCESS



CHAPTER 2: EDUCATION LINKS WITH OTHER CHILD PROTECTION AGENCIES

20. Public inquiries in Scotland and elsewhere in the United Kingdom, and research into the operation and effectiveness of child protection systems, have found that, in order to be effective, agencies need to share information and co-operate with each other in planning and delivering services to vulnerable children.
21. Many different professionals in statutory agencies and other organisations have contact with children at risk of harm. These include social workers, police, the Children's Reporter, Procurators Fiscal, medical, dental and nursing staff and other health professionals, teachers, educational and clinical psychologists, community education workers, staff of voluntary organisations and the Armed Services. Many children will need forms of help and support from individual agencies, or several agencies working together. Some children will need protection through action under local child protection procedures, Children's Hearings or Courts.

Child Protection Committees

22. Co-operation in child protection is underpinned by joint agency procedures prepared by local inter-agency Child Protection Committees (CPCs), originally established in 1991. These procedures include:
 - guidance as to the circumstances in which it is likely to be appropriate to initiate child protection procedures (i.e. at what point a concern becomes sufficiently serious to require child protection inquiries or investigation)
 - information as to whom a referral should be made, including arrangements both for intra-agency referrals and inter-agency referrals (for example directly to the police, the social work service or the Reporter)
 - the information required for child protection inquiries or investigation on behalf of the Reporter to be pursued efficiently
 - how this information should be recorded, the method by which it should be communicated, and how it should be stored
 - the contributions expected of representatives of individual agencies to the investigation process, child protection case conferences and child protection planning
 - sufficient information about the requirements of an effective joint investigation by police and social work so that all agencies, including education, may receive referrals from members of the public without compromising any subsequent child protection inquiries or police investigation. Any professional who has regular contact with children should be able to explain to the person making the referral what will happen next

23. These committees have been given the strategic role of developing, promoting, monitoring and reviewing local child protection policies in a joint forum, and allowing agencies to consider sharing resources to ensure their more effective and efficient use. Education, in common with other agencies should be represented on them at a sufficiently senior level to ensure that the CPC can effectively influence the development of local policy and practice in child protection. CPCs also take responsibility for promoting cross agency training on child protection issues. The report of the multi-disciplinary review of child protection entitled '*It's everyone's job to make sure I'm alright*' was published in November 2002. It recommended strengthening CPCs and this is being taken forward as part of a three year reform programme for child protection which has been established in response to the review findings.

Social Work

24. The local authority social work services have statutory duties to protect children. Individuals' and other agencies' concerns about child abuse are referred to them for assessment. After assessment, they may convene a multi agency case conference to consider whether the child's name should be placed on the Child Protection Register, and how other agencies should be involved in providing support for the child. It is also open to other agencies, when they feel that insufficient action is being taken, to formally request social work services to convene a Child Protection Case Conference about a child for whom they have serious concerns.
25. When the local authority receives information which suggests that a child may be in need of compulsory measures of supervision, social work services will make inquiries and give the Reporter any information which they have been able to discover about the child. As part of their investigations, social workers will normally seek information from schools on the child's academic progress, attendance and his or her emotional stability and well being.
26. Local authorities have a duty to safeguard and promote the welfare of children in need in their area and, so far as is consistent with that duty, to promote the upbringing of children by their families, by providing a range and level of services appropriate to the children's needs. Some children who have experienced abuse or neglect will need continued support from the local authority, including specialist services and counselling. Some may need to be looked after by the local authority. Where a child is so supported or looked after, the education authority has a responsibility to keep social work informed of any significant developments in relation to the child. Schools should ensure that appropriate information is made available.

Police

27. The police have a general duty to protect the public and to investigate where they believe that a criminal offence may have been committed. In pursuit of these investigations, the police may seek to interview a child at school. Under normal circumstances any such interview should take place with parental consent, or with the parent/carer present. However, where it has not been possible to contact the

parent/ carer, or where it is not appropriate because the parent/carer is suspected of abuse, and it is considered necessary to interview the child immediately, the Headteacher, or another teacher acceptable to the child, should be present. The police will refer the case to the Procurator Fiscal where it appears that a prosecution should be considered. The police will give the Procurator Fiscal any information which will assist him or her to decide whether a criminal prosecution should take place. The police shall refer a child to the Reporter if they believe that a child may be in need of compulsory measures of supervision, or if they have committed a crime.

Reporters

28. On receipt of information from any source about a case which may require a Children's Hearing to be arranged, the Reporter will make an initial investigation. The reporter may ask for information from other agencies or arrange for the local authority social work service to undertake an assessment or prepare a social background report. Generally the Reporter will seek a report from the school or nursery directly. In completing such reports, school staff should ensure they provide a full and complete picture of the child's functioning within the school environment. Following this investigation, and where it appears to the Reporter that a child may be in need of compulsory measures of supervision, s/he shall arrange a Hearing to which a representative from the school may be invited. When an invitation is made, it is important that staff be released, where possible, to attend the Hearing. If the Reporter decides that a hearing does not require to be arranged, s/he shall inform the child and any other relevant person, including the person who provided the original information. When a hearing is not arranged, the Reporter may also, if appropriate, refer the case to the local authority so that the child and his or her family can be offered advice and guidance on a voluntary basis.

Procurators

29. The Procurator Fiscal, as the Lord Advocate's local representative, has a duty to investigate the circumstances of any crime or suspected crime brought to his or her attention. He or she acts in the public interest and decides whether to bring criminal proceedings. Where a matter has been referred to him /her, the Procurator Fiscal may interview witnesses. Child protection encompasses effective investigation and prosecution of offences against children. Decisions regarding criminal proceedings against adults or children are taken by the Procurator Fiscal in the public interest, which includes, but is not restricted to, the interests of the child as witness or accused. The gravity of the alleged offences and protection of the public are matters which require to be weighed, but, in all actions concerning children, the Procurator Fiscal will have regard to Article 3 of the United Nations Convention on the Rights of the Child, which provides that the best interests of the child shall be a primary consideration.

Health Professionals

30. Health professionals (GPs, hospital and community-based doctors and nurses, and other health care staff) are responsible for the physical and psychological well-being of their patients. They may be the first to see symptoms of abuse or neglect, and should share information about any concerns arising from suspicions of abuse and neglect with the social work service, the police and the Reporter at an early stage. They may also share their concerns with the nursery or school attended by the child. School staff may also seek the advice of the school doctor, nurse or local surgery in relation to injuries sustained by a child. However it should be noted that children and young people who are deemed 'competent' in the judgement of the doctor (generally 12 and above), may themselves give or refuse their consent to medical examination. Inter-agency plans to protect a child and provide support and assistance to families may involve close liaison between school and health staff to monitor the welfare of children.

Voluntary Agencies

31. A wide range of church and voluntary organisations in Scotland work with children to provide a range of services and programmes aimed at preventing or reducing the risk of child abuse and neglect, or at helping families recover from child abuse. Such staff should have been checked for their suitability to work with children through the procedures operated by Disclosure Scotland. These organisations have their own guidelines and practical advice on child protection and organise their own training for adults who work with young people. Children who have been abused or who are at risk of abuse may contact them to talk about problems. These organisations should discuss and share with relevant statutory agencies information they may have about children who may be at risk of significant harm.

32. Some organisations have developed considerable expertise in working with particular groups

- people from minority ethnic backgrounds;
- refugee or asylum seekers;
- people with disabilities;
- people with communication difficulties;
- people with other special needs;
- people at risk of domestic abuse; or
- the children of drug or alcohol using parents.

33. Such organisations can be a valuable source of advice. School child protection co-ordinators should consider involving relevant representatives from such agencies,

where they are known to be involved, when considering how most appropriately to respond to identified concerns in relation to a child or children.

Confidentiality

34. Numerous inquiry reports and research findings indicate that, for children to be kept safe from harm, professionals and others should share information on
- a child's health, development and well being;
 - a parent who may need help or be unable to care adequately for his/her child;
 - those who present a risk of harm to the child .
35. Often, it is only when such information is brought together from a number of sources that the real level of risk to the child becomes evident. Personal information about children and families held by professionals and agencies is subject to a legal duty of confidence, and should not normally be disclosed without the consent of the person concerned. Children are entitled to the same duty of confidence as adults, provided they have the ability to understand the choices and their consequences relating to proposed lines of action. Where consent has not been obtained, however, the law permits disclosure of confidential information necessary to safeguard a child where it is considered in the public interest, or where the welfare of the child or of others is considered to be at risk. Each such disclosure should be justifiable according to the particular circumstances. Through the child protection committees, education authorities should develop protocols making clear to all staff the circumstances in which both they and other agencies will share information, and any limitations affecting such sharing, including where appropriate the impact of the Data Protection Act. Independent and grant-aided schools likewise should have agreed written protocols for dealing with these matters.
36. Within schools, confidentiality is not an option when pupils are at risk. Staff (including those other than teachers) have a professional and moral duty to put the child's welfare first. Information about abuse may be offered in confidence, but the recipient cannot keep such information to him or herself. There is an absolute need for such information to be passed on to the child protection co-ordinator, who will liaise as necessary with the headteacher and external agencies. The member of staff concerned should seek to retain the child's or young person's trust by explaining clearly the need for action and what is likely to happen.

CHAPTER 3: ROLES AND RESPONSIBILITIES OF EDUCATION STAFF

Local Authority Department with responsibility for education.

37. Those responsible for education at a local authority level, are already required to appoint a senior officer responsible for child protection at authority level. (Circular 10/90). The person so appointed is expected to exercise direct responsibility for the contribution of the education authority to child protection matters. The authority should ensure that he or she has adequate time to exercise the duties concerned and undertake relevant training on child protection issues. His or her name and role should be clearly communicated to all schools and centres and to other sections of the local authority, including authority switchboards. This person's role will include:

- co-ordinating policy and action on child abuse, in schools and community education centres throughout the authority;
- ensuring all establishments are fully aware of this guidance, and providing any necessary customisation in terms of contacts, phone numbers and referral forms;³
- ensuring that all establishments have a fully trained Child Protection Co-ordinator and, where appropriate, a deputy CPC;
- developing a child protection training strategy for the authority, ensuring that this is fully implemented across all establishments in the authority, making it available to partner-providers of pre-school provision and putting in place appropriate training arrangements for peripatetic and other visiting staff;
- ensuring that there is a system in place to allow other agencies to obtain education information on child protection cases during periods when the schools are closed – in particular over the Easter, summer and Christmas holidays;
- in each case which has been formally referred as 'child protection', monitoring termly the work of the establishment and the educational outcomes for the child;
- in schools with substantial child protection case-loads, ensuring the staff allocation is adequate to allow these schools appropriate time to contribute effectively to inter-agency child protection procedures;
- promoting Personal Safety programmes in the curriculum; and

³ Authorities should note that this publication is intended as the national guidance applying to all schools – the Department does not require or advise that education authorities produce separate local handbooks which only add to the burden of reading for staff and confusion for staff moving between authorities. What is required is a summary of local contact details for display and insertion with this guidance.

- acting as the point of contact with the local social work department and other agencies, including the CPC.

Head of School or Centre

38. This guidance applies equally to the headteachers of local authority schools and those of independent and grant-aided schools.

The role of the head of school or centre is crucial in ensuring a climate in which

- **all** staff (including those other than teachers) understand and take seriously their responsibilities for child protection;
- meeting children's needs is given high priority; and
- there are effective working relations with other agencies with responsibility for child protection.

39. Heads are also responsible for ensuring that the safety of children and staff are supported through good attention to Health and Safety and security arrangements.

40. The headteacher / head of centre has a number of specific responsibilities in relation to child protection:

41. S/he shall nominate a suitably experienced and trained person as Child Protection Co-ordinator for the school, and provide him/ her with support and adequate time to carry out this demanding remit. In small schools the Head may act as his/her own Co-ordinator. Generally, however, it is better for another member of senior management to carry this responsibility in order to facilitate discussion at a senior level in the establishment, to ensure that the interests of the child(ren) in question are fully represented within the school and to facilitate the development of specific child protection links between agencies. In all instances an appropriate person should be designated as depute to act in the absence of the co-ordinator.

42. S/he shall take steps to make sure that all staff are aware of the guidance contained in this document and give them ready access to a copy of it. S/he, in conjunction with the school Child Protection Co-ordinator should prepare a **brief** supplement setting out practical information in relation to the school operation of these procedures (e.g. names and phone numbers of key contacts within the school and in other agencies). This supplement should take account of the range of the school's work to be covered – including any pre or after school provision and out of school activities.

43. S/he should have procedures in place to ensure that new, temporary, supply and other visiting staff or volunteer helpers are properly informed of child protection procedures. The Head personally should also annually review these procedures with **all** staff at the beginning of the autumn session, and in doing so, convey the importance which attaches to the prompt and effective implementation of these procedures.

44. S/he shall put arrangements in place such that that all staff receive regular basic training in child protection and that those staff with a front line responsibility for child protection - the Child Protection Co-ordinator, other members of the senior management team, the member(s) of staff responsible for learning and behaviour support and guidance staff and other staff responsible for pupil welfare - undertake regular appropriate external child protection training. The Head should also ensure that, within the school's staff development programme, a high priority is given to
- front-line staff attending appropriate courses and developing knowledge of local arrangements; and
 - new staff undertaking child protection training.
45. S/he is responsible for making known to pupils and parents the school's procedures on child protection and how they will operate. The school's child protection policy should be clearly set out in its information handbook. This should include:
- identification of the school's Child Protection Co-ordinator;
 - the procedures which will be followed if an allegation or suspicion of abuse arises;
 - details of the school's complaints procedures and ways in which parents can raise concerns;
 - information on confidentiality;
 - a summary of arrangements for checking the suitability of staff and volunteers working with children on school activities (in or out of the school building); and
 - information on curriculum work which supports pupil safety.
46. Consideration should be given to providing pupils and parents with a separate statement of confidentiality, (an example is given at Appendix 6), and parents a copy of the *Parent Checklist for Youth Activities* published by the Scottish Executive.
47. When the Child Protection Co-ordinator judges that a pupil is in need of protection, the headteacher is responsible for ensuring that the school develops and implements its own support plan for that child, together with any additional appropriate action necessary.
48. S/he is responsible for the school's effective contribution to interagency child protection procedures. In particular the Head is accountable for seeing that:
- detailed school reports are provided timeously whether for use at a child protection case conference or by the Reporter;
 - an appropriate member of staff who knows the child attends case conferences or hearings when invited;
 - the school contributes as agreed to child protection planning and implementation.

49. In an education authority school, the Head is responsible for supplying to the designated authority Child Protection Officer, termly monitoring reports on children subject to child protection procedures. In an independent school, reports should be provided to the relevant Governors' sub committee.
50. Where a child protection complaint is made about a member of staff, in addition to taking appropriate action in relation to the complaint (see chapter5) the headteacher should enter, sign and date a short summary of the complaint in a **Record of Child Abuse Complaints** maintained for that purpose and kept in a secure place. The summary should include:
- date and brief details of the complaint;
 - by whom and against whom it was made;
 - if formally referred – to whom and when;
 - if the complaint was dealt with internally a brief note of the outcome including why the decision not to formally refer the complaint was made.
51. The Head should make this record available on request to the authority's Child Protection Officer, or, in the case of an independent school, the School's Chairman of Governors and to HMIE when the school is inspected.

Child Protection Co-ordinator

52. The role of the Child Protection Co-ordinator is critical to the effective operation of child protection procedures within the school. On a day to day basis, s/he will be the main point of contact both for staff within the school and for outside agencies seeking contact with the school on child protection matters. Accessibility, empathy with children and young people, a readiness to listen, clear thinking, good record keeping and determination are key qualities for the co-ordinator. The Child Protection Co-ordinator needs to ensure his or her own knowledge of child protection matters is up to date through regular attendance at authority and inter-agency training events. S/he should also develop and maintain effective working relationships with his or her counterparts in the other agencies. Within the school s/he will have a key role in developing staff understanding of child protection, their roles in relation to child protection and the procedures to be followed in cases of serious concern. S/he needs to keep her/his deputy fully informed of developments. S/he will also be responsible for overseeing the planning of appropriate curricular provision designed to help children become good parents and to protect themselves from the risk of abuse. In line with the recommendation of the School Drug Safety Team s/he will be responsible for managing risk from drug-related incidents in school.
53. In cases of alleged or suspected abuse, s/he has the following responsibilities:
- to listen to and record staff concerns, seeking further information from other staff if necessary;

- to have in place an appropriate and secure record system for child protection information, which takes account of the requirements of data protection;
- to observe the child;
- if necessary, to seek advice from the nominated authority Child Protection Officer and/or from the person designated as a point of reference in the local inter agency guidelines. **NB Seeking advice from another agency will not be considered by them as a referral, and they cannot be expected to act as a result of such a phone call;**
- to arrive at a judgement as to whether there is reasonable cause to suspect or believe that the child is at risk of abuse.

54. If the Child Protection Co-ordinator concludes that further referral is inappropriate at this time, s/he should discuss the concerns with the headteacher to:

- consider what action the school needs to take to provide further support for the child in question;
- where appropriate, put in place logging arrangements to ensure that additional relevant information is gathered; and
- decide how best to advise the parents of the identified concerns.

55. Together they should record, sign and date brief details of the concern and the decision made within the school child protection log.

56. If there is evidence of the need to protect the child the Child Protection Co-ordinator should:

- discuss the concerns with the headteacher (unless the headteacher is directly implicated in the concerns in which case contact should be made with the authority's nominated Child Protection Officer, or in the case of an independent school, the Chair of Governors, or of the relevant governors' sub committee) to consider whether immediate action is necessary to protect the child (e.g. can the child be allowed to return home that lunchtime/ afternoon?) and what action the school itself should take to provide further support for the child;
- explain to the child (or ensure that another member of staff, in whom the child has confidence, explains) what actions the school is going to take, and, as far as is known, what is likely to happen as a result;
- make a child protection referral in accordance with local arrangements, initially by telephone, to be followed up by a written referral copied to the authority designated child protection co-ordinator, or, in the case of an independent school, to the chair of the relevant governors' sub committee. **NB The responsibility for making a formal child protection referral rests with the Child Protection Co-ordinator, not with the headteacher.**

- Consider whether a direct referral to the Reporter is also required, and if so make it in accordance with the advice set out in the Education Protocol – Appendix 2;
- in consultation with the headteacher and with the agency referred to, decide how parents are to be advised of the identified concern.

57. Following on from the initial referral, it is the Child Protection Co-ordinator's responsibility, with others to:

- prepare and oversee the implementation of a school support plan for the child or young person. As part of that plan, consideration should be given to which staff (including any temporary or supply staff) require information and how much information they require, bearing in mind both issues of confidentiality and the need for the child to be adequately supported;
- co-ordinate the preparation of reports on the child in response to requests from other agencies.(Even where the meeting will be attended by a school representative, a report should be prepared for inclusion in the conference papers;)
- attend (or arrange for a more suitable nominee to attend) case conferences; core group meetings and Children's Hearings as required, and see that school contributions to a child protection plan are implemented;
- where it is likely that inter-agency child protection meetings will occur during periods of school closure, in education authority schools, make arrangements with the authority's Child Protection Officer to ensure that those attending these meetings are furnished with the appropriate information to allow considered decisions to be made. In independent schools, the child protection co-ordinator should set up appropriate mechanisms to ensure that such requests are effectively met.

Pre-School Staff / Primary Class Teacher / Guidance Teacher/ Learning and Behaviour Support Teacher/ Community Education Worker

58. It is most likely that the member of staff who may first be alerted to a child in need or suffering from abuse will be the assigned member of nursery staff, child's class teacher in a primary school, his/her guidance or support teacher in a secondary school or a youth worker involved in regular out of school activities. This awareness may be the result of one or more of the following:

- the way the child presents in school e.g. unkempt, inappropriately dressed for the weather, persistently hungry or tired;
- an unexplained but significantly different pattern of attendance, attainment or behaviour than that previously noted;
- seeing unexplained or unaccustomed injuries on a child; or

- something the child says or chooses to confide.
59. Where there is clear evidence of harm to the child, as a matter of urgency the staff member should relay his/her concerns to the Child Protection Co-ordinator or, if he or she is not available, to the person designated to deputise for him/her. It is most important that a child should not be placed at risk of further harm through a delay in reporting. Steps should also be taken to meet the immediate needs of the child, taking care in doing so, not to remove or contaminate evidence. Once the member of staff has decided to relay concerns to the Child Protection Co-ordinator, the staff member should not discuss his or her concerns with other members of staff or others, save in the forum of a support planning meeting convened by the Child Protection Co-ordinator. However, the member of staff should on the same day, record, sign and date the nature of the concerns and the actions s/he took. Where other children or young people have been involved in the disclosure staff should ensure that they are appropriately supported.
60. Where there are grounds for concern, but no clear evidence of abuse, the staff member should discuss his/ her concerns with the Child Protection Co-ordinator, and agree whether further observation is necessary, when and how concerns should be relayed to the parent(s), and how on-going concerns should be recorded. (Very often the reluctance of other agencies to become involved in inter-agency child protection proceedings, is based on a lack of clearly recorded substantiated causes of concern). The staff member should also discuss with the Child Protection Co-ordinator what further support the child is likely to need and how best this can be met.

Teaching staff

61. All teachers have responsibilities for the welfare of children and need to be aware of the possibility of child abuse in its several forms. Generally it is less likely that staff not in sustained contact with a child will be the first to be aware of possible abuse. However children's choices of to whom to disclose cannot be controlled. It is also possible that a particular lesson may provide opportunities not available to others to observe injury e.g. swimming, home economics, technical education. In the event of a member of staff becoming aware of actual or possible abuse they should follow the guidance in paragraphs 60-62. All staff, however, should be aware of children under stress, even if the precise causes are not known or shared with them. In these instances they have a responsibility to take account of these pressures in their dealing with the child or young person and as far as possible provide support for him or her. Where a child is known to be at risk, teachers have a responsibility not to take actions which, in their effects, may expose the child to a greater degree of risk – this applies particularly to the operation of escalating disciplinary systems, where a further referral may result in exclusion and greater exposure to harm.

Ancillary Staff

62. Classroom assistants, special needs assistants, playground supervisors, janitors and catering staff are often seen by children as possible confidantes because of the

nature of their contact. In the nature of their responsibilities, such staff are often able to see different patterns of behaviour emerge outwith the classroom. In relation to younger children, some staff may be well positioned to observe the interaction between children and their parent(s) at the beginning and end of the school day. Similarly, in secondary schools, others may be in a position to observe young people putting themselves at risk through ill-judged behaviour or friendships. Special needs assistants, in particular, may develop strong relationships and good communication with those they support. Often ancillary staff live within the catchment of the school, and may have local knowledge or receive information which suggests that a pupil may be at risk. As with other school staff, it is vital both that all concerns regarding the welfare of a child or children are reported to the Child Protection Co-ordinator as soon as possible, and that such suspicions or concerns are not discussed more widely.

School Nurses

63. School nurses may identify child abuse and child protection issues in several ways:
- when undertaking school health screening activities;
 - by health monitoring and accurate recording when a health related problem has been identified;
 - by listening to and observing children in school;
 - by being available to children and parents to approach informally; and
 - through liaison with other health professionals such as health visitors when children transfer to primary 1.
64. Where a school nurse has concerns about the safety of a school child these should be shared with the school's Child Protection Co-ordinator, and with other professionals in accordance with his or her own professional guidance.

Home School Link Workers/Education Welfare Officers/Attendance Officers

65. The implementation of Scottish Executive policies on inclusion, has resulted in the creation of posts whose basis is strengthening the links between home and school through direct work with parents. Such posts are found in Sure Start, Early Intervention, New Community School, Support for Parents and Better Behaviour projects, as well as some specifically funded for individual schools serving areas of difficulty. Education Welfare Officers or Attendance Officers have a role which also involves direct contact with children's families. All these workers are well positioned to identify conditions which may present a risk to children, e.g. drug or alcohol misuse or inappropriate living conditions. Where serious risks are identified, these should be reported promptly to the school's Child Protection Co-ordinator. More importantly, however, such workers are often able to identify problems before they reach the stage of placing children at risk of significant harm. In these circumstances, these workers have a responsibility to ascertain directly from education authorities what support is available to the family, but also, through liaison with other agencies, to seek to set other supports in place.

Educational Psychologists

66. A significant number of children who have been abused or are experiencing abuse exhibit a variety of disturbed and disturbing behaviours in school and so are referred by their schools to authorities' educational psychology services. However, it was a finding from the Child Protection Review, that very few of those children were thoroughly assessed, or successful in accessing a service. Psychological services should ensure that where a school's referral indicates concerns in relation to child protection, priority is given to carrying out a full psychological assessment of the child. Where that assessment indicates a need for a programme of intervention, authorities have a responsibility to see that these needs are met promptly.

Governors of Independent and Grant-Aided Schools

67. Those responsible for independent schools are required to 'safeguard and promote the welfare' of their pupils. This being the case, proprietors of independent schools have a responsibility to see that child protection concerns are appropriately dealt with. In particular they have a responsibility to ensure that the appropriate handling of child protection concerns is not subordinated to concerns over adverse publicity. Given the confidential nature of much child protection work, it would not be appropriate for such cases to be discussed by the full Governing Body. However the Governing Body should ensure that a properly constituted sub committee is formed with responsibility for the oversight of child protection matters. Its work should include:

- ensuring that an appropriate child protection policy is agreed, implemented consistently and supported by relevant staff training;
- ensuring that parents and pupils are familiar with details of the school's child protection policy and procedures, confidentiality code and of how to raise their concerns through an agreed complaints procedure;
- providing robust support for the headteacher and designated Child Protection Co-ordinator when they require to deal with cases of child protection;
- being the point of reference for the Child Protection Co-ordinator or the depute should either the headteacher or the Child Protection Co-ordinator be implicated in the allegations;
- monitoring the work of the school in relation to any cases known to it;
- particularly in the case of boarding schools, putting in place structures which allow them to satisfy themselves directly that pupils' needs and welfare are fully met by the school; and
- ensuring all Governors receive appropriate training on their roles and responsibilities in relation to children's rights and child protection.

68. Where an independent school operates without a Board of Governors, then an independent person should be appointed who will visit the school on a regular basis and with whom both staff and pupils can raise concerns. This person should monitor the operation of the child protection policy, liaise with the Child Protection Co-ordinator and raise issues with the Headteacher as necessary.

Chapter 4: Suspected Child Abuse and the role of Education staff in the process of protection

Identification of concerns

69. Concerns regarding child abuse in school are likely to emerge in one of four ways:

- the child discloses an incident or incidents which may be possible abuse – this could include inappropriate contact through the internet;
- a member of staff observes an injury or has sustained concerns about the presentation or behaviour of a child which s/he thinks may be indicative of abuse;
- the school is contacted by another statutory agency as part of an initial child protection inquiry or investigation; or
- a member of the public (who may be a relative of the child) or a representative of a local voluntary group expresses concerns, or makes an allegation about child abuse. Such a concern may be raised anonymously.

70. Staff should be alert to the fact that pupils often take time to seek out and test adults to whom they wish to disclose abuse. In these circumstances disclosure is more often a process than an event. Also that while sexual abuse cases attract high levels of publicity, national statistics indicate that far more children are at risk from both neglect and physical injury. Staff should also be alert to the possibilities of peer abuse, particularly in contexts where some pupils exercise powers over others through for example prefect or monitorial systems.

Dealing with disclosures

71. Where a child discloses an incident or incidents which may be possible abuse there are several priorities. Firstly, whoever receives the confidence should:

- not guarantee confidentiality, whilst explaining the reasons for this to the child;
- listen carefully and sympathetically;
- not show disbelief;
- take the allegation seriously ;
- reassure the child that s/he is not to blame ;
- avoid expressing their own views on the matter.

72. It is important that, as far as possible, questioning the child is avoided. Such questioning is the responsibility of social work and police as the designated agencies for investigating allegations of child abuse. Where questions are needed

to clarify information, then care should be taken that these are open ended, so that there can be no question of later claims that the staff member suggested a response to the child. Clarification should also be limited to what may be necessary to decide whether reasonable suspicion of abuse exists and to ascertain, as far as possible, what the child wishes to happen. Children should not be required to repeat the information to a succession of adults, so wherever possible any necessary additional questions should be asked by the person to whom the original disclosure was made, with the support of the Child Protection Co-ordinator. (A checklist on responding to disclosure is included at Appendix 9).

73. Any disclosure must be clearly recorded at the time or as soon as possible thereafter, and signed and dated. The child's own words should be used, and staff should avoid summarising the account in the interests of neatness or comprehensibility. The disclosure must then be reported as soon as possible to the Child Protection Co-ordinator. The timing of this should also be recorded. Where a child decides during a disclosure to end the interview, or subsequently wishes to withdraw the allegation, s/he should be told that s/he can have further discussion with any member of staff at any time in the future, but that the Child Protection Co-ordinator will be told of the concerns voiced. The child should also be provided with information about other sources of support e.g. ChildLine; the authority's Children's Rights Officer.
74. Any child making child abuse allegations is a child in need, and the school, through the Child Protection Co-ordinator, has a responsibility to identify and respond to his or her immediate needs as sensitively as possible. This may be about allowing the child some private space, listening to a range of worries or providing him/her with the support of a friend. In some instances it may be about accessing medical care, although in these circumstances the doctor or nurse needs to be aware of the child protection context, as it will have implications for their work with the child.

Staff observations

75. Where an incident or series of incidents give rise to staff suspicion of child abuse, the same principles apply, albeit the order for action may be different. Firstly the school has a responsibility to respond directly to the identified needs of the child. For example it is not acceptable to be concerned about the early hour a young child is arriving in the school playground, but continue to leave him/ her there unsupervised. The member of staff should record clearly the nature of his/ her concerns and the actions taken to meet them. As soon as possible the record of these concerns should be shared with the Child Protection Co-ordinator, and a discussion held on what further needs to be done. Depending on the outcomes of that discussion, either the member of staff or the Child Protection Co-ordinator may wish to talk to the child about the situation or incident.
76. Child Protection Co-ordinators have a responsibility to staff who have raised concerns about a child, to keep them informed of decisions made and actions being taken. Any member of staff of an EA school who, having reported suspected child abuse to the Child Protection Co-ordinator, remains dissatisfied with the actions taken or the failure to act, should contact the authority's Child

Protection Officer directly. It is open to any member of staff to make a personal referral to the Children's Reporter, and in an independent school, a member of staff who is dissatisfied with the actions taken in school should use this route. (See Appendix 2)

Contact by another Statutory Agency

77. Where another agency contacts the school about possible child abuse, this is likely to come directly to either the headteacher or the Child Protection Co-ordinator. Anyone else receiving such a call should direct it to the Child Protection Co-ordinator. Where there is some level of external concern about the welfare of the child, it is the Child Protection Co-ordinator's role to provide clear and suitably detailed information about the child's functioning within the school environment. While the child's academic performance will be relevant, it should not be the sole focus for comment. Other matters of relevance will be:

- the child's physical appearance;
- attendance and punctuality (which should be corroborated by accurate register records);
- behaviour and relationships with peers and adults;
- any relevant parental contacts;
- known involvement in clubs and activities; and
- any recent changes in any aspects of the above.

78. Through discrete contact with other members of staff, the Child Protection Co-ordinator should gather these details as rapidly as is consistent with ensuring good quality information, always bearing in mind that undue delay in providing the information to the other agency may result in the child being exposed to unnecessary risk. The matter should not be discussed with the child unless the other agency has made a specific request for such a discussion to take place, and the Co-ordinator considers it appropriate to do so.

Report by a member of the public or a relative

79. A recent MORI study found that some adults see schools as a preferred contact point if they have concerns over the welfare of a child. Parents in conflict are also likely to share some of their concerns about their partner(s) with the school. In some instances, therefore, school staff will find themselves receiving external information which indicates potential child abuse. In these circumstances it is important that, as with children disclosing, staff listen carefully and sympathetically, treats the matter seriously, records signs and dates the information and specifically make the person(s) aware that they cannot guarantee confidentiality in these circumstances. If possible the concerned adult should be encouraged to pass on their worries directly to Social Work Services which is the agency with the statutory duty to protect children. However, where this does not

prove possible, or where the contact was anonymous, the Child Protection Co-ordinator should take responsibility for further action, making clear to the referrer where possible, the actions s/he will take. The Child Protection Co-ordinator must share the information with the other agencies (health, police, social work) involved with the child. This will ensure that an early assessment of any potential harm to the child can be made, leading to a decision whether or not further child protection inquiries are needed. The Co-ordinator may also decide to put in place support or monitoring arrangements for the child(ren) in the school.

Internal discussion

80. In a very few instances, the Child Protection Co-ordinator will find him/herself dealing with a matter so urgent that, after initial identification, the immediate priority will be to refer the matter on to social work and/ or the police. In most instances however, the needs of the child will be best met by convening within 24 hours, an internal child protection meeting. In normal circumstances this should be attended by the Child Protection Co-ordinator, his or her depute; the member of staff who first identified the problem, the member(s) of staff with designated pastoral responsibility for the child and the headteacher. However the convening of the meeting should not be delayed due to the unavailability of the headteacher. The agenda of the meeting should concentrate on the following:

- What are the child's views and wishes?
- Do those present believe that there is reasonable cause to suspect or believe that child abuse has taken place? (Absolute proof is not required).
- If so, is the grounds for concern clearly recorded and does any further information require to be gathered before a formal referral is made to Social Work Services?
- If not, what is the basis for this decision? Is the decision, the reasons for it and the information available clearly recorded? Is further monitoring necessary to confirm or reject the concerns?
- What are the current needs of the child within school, and what will the school do to respond to them? Who will provide ongoing support to the child in terms of feedback about the progress of the investigation? Is there a need to seek the help of other agencies to meet these needs, whether or not the matter is considered as child protection?
- Are there implications for other children in the school? (e.g. is the suspected abuser a relative of other children in the school?)
- What information requires to be shared within the school and with which staff? (Child protection matters should be regarded as confidential; nevertheless if the child is to be properly supported by the staff s/he encounters, staff, including any relevant visiting staff, at least need to be aware that the child is under some pressure. In some instances it may be appropriate to provide in confidence more information for particular

members of staff e.g. a particular literature study may prove unduly stressful for an abused young person; where the alleged abuser is another family member staff need to know not to give that person access to the child).

- What information is to be shared with parents, when and by whom?

81. At the end of the meeting, there should be a series of clear action points to be implemented. The internal discussion should not become an end in itself or a means of delaying the necessary but often difficult tasks of passing on information to statutory agencies, parents or the child. The minutes of the meeting should be written and circulated promptly to attendees by the Child Protection Co-ordinator who should keep the master copy in the child's child protection file. All copies of the minute should be securely stored separately from general pupil information. In the event of an inter-agency investigation, it may be appropriate to share the minute with the other agencies involved.

Liaison with Parents

82. Where staff have concerns about the welfare of a child, but have decided that at the present time matters do not warrant a child protection referral, their concerns should be discussed openly with the parents. Normally the head teacher or Child Protection Co-ordinator should do this. However, taking account of all the circumstances of the child and family, in particular instances this may appropriately be delegated to another member of staff who knows the child and family well e.g. the principal teacher for learning support, in the case of a child with significant learning difficulties.

83. Where the Child Protection Co-ordinator has decided to refer the child protection concerns to social work, then a decision about how parents should be informed should be taken in conjunction with social work. However, having regard for the fact that the school is likely to have to continue to work with the child and family in the future, wherever possible the school should seek to be involved in telling parents. This task will be easier if the school's information handbook has been clear about actions taken when child protection concerns arise. If necessary, further support can be sought from the authority's Child Protection Officer, but in general, parents, already under stress, should not be invited to meetings overloaded with authority figures.

Gathering and Recording Evidence

84. The Child Protection Review found that a significant number of children remained unprotected, because one or more agencies failed to provide sufficient evidence to convince either social work, the reporter or the courts that there was a real risk to the welfare of the child. This was particularly the case when issues related to long term neglect or emotional abuse. The basis of sound evidence is careful observation and good recording. This does not have to be an elaborate process requiring special forms or log books. It **does** require that:

- staff are alert to look for possible signs or symptoms;

- as far as possible notes are made at the time, dated and signed;
 - as far as possible children and adults are quoted verbatim;
 - events are described objectively;
 - where notes refer to further action or contact, it is clear what the outcomes are.
85. Such evidence must be kept securely, in line with education authority advice on record keeping. In most instances the Child Protection Co-ordinator will secure such records in a specific filing cabinet designated for the purpose. Care is needed, however, that where, for example, a classroom monitoring log is being maintained, it is locked away each evening until the period of monitoring is complete and it can be handed over to the Child Protection Co-ordinator. Schools should adopt a flagging system, for example a coloured dot attached to the exterior of the file, to ensure that staff looking in the pupil's main file (PPR) can be aware that other confidential information exists. A similar tagging system should be applied where schools use an electronic pupil profiling system.

School plan

86. The identification of a child protection concern in a school means that the child or children concerned have specific needs. The most fundamental of these needs, such as equipping a parent to be better able to care for the child, in most instances will be beyond the powers of school staff to meet. However, in the case of very young children, an exception to this is the excellent support for parenting skills provided by some Family Centre Nurseries. In all situations, however, there are actions which can be taken to ameliorate the impact of neglect or abuse. For example:
- a nursery can plan its arrangements for 'snack time' to prevent children spending a morning hungry;
 - a primary school can institute careful end of day monitoring procedures to ensure that the adults collecting children are fit and safe to do so;
 - ancillary time can be allocated to a child to give him or her a fixed point of reference and care in the school day;
 - children can be allocated responsibilities to help restore their self esteem;
 - in secondary schools 'time out' arrangements can be put in place for young people who are temporarily overwhelmed by their problems.
87. The school internal discussion process should identify what help the school itself can provide for the child in need, the ways the school will meet the needs, how the situation will be monitored and to whom further concerns will be reported. This plan should not be an elaborate document - a single side of A4 paper should suffice- but by setting down in writing what is to be done, it both provides a focus for immediate action, and a reference point for subsequent review. Where

appropriate this plan should be shared and agreed with the young person concerned. The plan should form part of the school's Child Protection Record. It should also be copied to the authority officer responsible for child protection. When an interagency investigation is undertaken, then the plan should be appended to the school's report. When a Child Protection Case Conference or Core Group agrees an interagency plan for the child, the school plan should be amended to include any additional work the school undertakes to do. When a child is deregistered, the school should review the plan to take account of the change in circumstances. It should **not** be assumed that the ending of registration removes the need for a support plan. In some instances staff may need to continue to be sensitive to anniversaries or other events, (for example the release from prison of a convicted abuser), related to the pupil's initial traumatic experience, without directly reminding the pupil of the situation.

Planning for children transferring schools

88. In some instances a direct result of the identification of abuse will be that children require to change schools. This may be as a result of their being cared for by relatives, foster parents or the local authority; or it may arise from incidents of domestic abuse where one parent and the children move into a refuge. In all these circumstances these children are very vulnerable:

- they have lost the stability of a known home, friends and school;
- socially and emotionally they have to adapt to very different living conditions;
- the circumstances of their arrival is not readily explicable to fellow pupils;
- they may be unable to invite friends home; and
- they may lack appropriate space and resources for homework.

89. For some the easiest resolution of these difficulties is to truant.

90. When a school admits a pupil, even temporarily, knowing that the reason for admission is the result of domestic or child abuse, then it must prepare and implement a plan for that child also.

School/ Education Authority powers

91. A significant number of school child abuse concerns centre on the neglect of situations requiring medical attention. These can range from accidental cuts and sores which are allowed to become infected, to congenital weaknesses in sight or hearing which, when neglected, can result in the loss of sight or sound. However under the Education (Scotland) Act 1980 as amended by the Standards in Scotland's Schools, etc. (Scotland) Act 2000:

'an education authority may require the parent of any pupil in attendance at any school under their management to submit the pupil for medical or dental

inspection in accordance with arrangements made by the appropriate health board in agreement with the authority’.

92. Failure to comply may amount to an offence. Education authorities, in conjunction with the relevant Health Boards, should review their current practice with a view to finding ways in which these powers can be used to prevent children suffering, over an extended period, unnecessary harm to their health due to neglect by their parents.

Exclusion

93. Children who have suffered abuse and/ or are under considerable stress, may show their hurt by behaviours which are highly disruptive, and sometimes, damaging to themselves, to other children and to property. There are *‘many excellent examples of mainstream schools managing the balance between progressing the interests of the majority of their pupils, whilst meeting the needs of children and young people who exhibit very challenging behaviour’*⁴, and the Discipline Task Group report highlighted particularly successful strategies, as did the HMIE report *‘Alternatives to Exclusion*. Nevertheless schools can experience considerable difficulty in responding to these behaviours in terms of their general expectations of pupil behaviour and the safety of other children. Where a school contemplates the exclusion of a child who is the subject of child protection concerns, it should first contact the authority’s Child Protection Officer and carry out the risk assessment detailed in Circular 2/98 (Exclusion from School) paragraph 58, quoted here for ease of reference.

‘In some cases, it may be evident that a period of time without a normal school attendance routine, brought about by exclusion, may act to bring about a significant increase in the extent to which a pupil is vulnerable and so ‘at risk’ in the community or at home. In such cases it will be particularly important that education and social work departments should discuss the pupil’s needs and behaviour and reach an agreed assessment of the risks to the pupil. In assessing risks, it is important to work closely with parents and the pupil. The assessment should identify and address any difficulties relating to home circumstances which would be likely to arise from exclusion. It may be necessary sometimes to follow locally agreed child protection procedures between the education and social work departments and established child protection procedures may come into play.’

Inter-Agency Working: Contribution to Child Protection Investigation, Case Conference, Child Protection Plan

94. When the school has referred a case to social work services, or when social work services, having received a referral from elsewhere, contact the school, inter-agency child protection arrangements come into effect. The fine detail of these is set out in the Area Inter-Agency Child Protection Guidance, produced under the auspices of the local Child Protection Committee. In essence however the expectations of staff are these:

⁴ Better Behaviour – Better Learning: Report of the Discipline Task Group 5.16

- schools will make a prompt referral of cases where there is judged to be a risk of significant harm to the child;
 - schools will co-operate with social work and police investigations, sharing with the other agencies all relevant information and keeping them informed of changes in circumstance of which they become aware;
 - schools will be represented at inter-agency discussions and case conferences;
 - at case conferences, the school representative will be fully cognisant of the case, provide a school perspective on the child and, in the light of the evidence presented, be prepared to express his/her view on whether or not a child's name should be placed on the Child Protection Register;
 - when an inter-agency child protection plan is needed, the school, if required, will contribute to its formulation and implementation.
 - where the social work department informs the school that a child's name is on the Child Protection Register, schools should treat the information as having been given in confidence, and for the child's protection. Staff should pay particular attention to the attendance and development of all such children, and report any cause for further concern.
95. Where the school is dissatisfied with the support offered to a child considered to be at significant risk, and can produce evidence to that effect, it (or the education authority Child Protection Officer) should request Social Work Services to convene an inter-agency case conference.
96. If the school becomes aware that other agencies are carrying out an investigation in relation to a child about whom the school has concerns, but that the school has not been contacted, the Child Protection Co-ordinator should make contact with the investigating agencies and share the information held by the school.
97. Where other agencies, as part of their investigations, wish to interview the child, or have the child medically examined, this should normally be done only with the consent of the parent/ carer and in his/ her presence. However it should be noted that the Age of Legal Capacity (Scotland) Act 1991 provides '*a person under the age of 16 years shall have legal capacity to consent on his own behalf to any surgical, medical or dental procedure or treatment where, in the opinion of a qualified medical practitioner attending him, he is capable of understanding the nature and possible consequences of the procedure or treatment.*'
98. In practice children of 12 and above are generally considered as able to give informed consent, and doctors will accept the consent of a younger child if they are satisfied that the child does understand what is at stake. Hence, the consent of the child should be sought prior to any interview or medical, and it cannot take place if the child's consent is withheld, save where the child is also considered as a suspect. Where other agencies wish to interview the child as a suspect, and it is not possible for the parents/carers to be contacted, then the headteacher or his or her representative should be present during the interview or medical examination.

In deciding which member of staff should be present consideration should be given to the preferences of the young person, and the nature of the examination. It is **not** for a member of the school's staff to interview a 'suspect' without consent.

Children's Hearings

99. Any person, who believes that a child may be in need of compulsory measures of protection, may refer a child to the Reporter. Hence it is open to any member of staff to make a referral to the Reporter if they are dissatisfied with the steps taken within the school to keep the child safe. More commonly, however, school staff will become aware of the Reporter's involvement when they receive a request from him/her for a report on the child. Having asked for further information, the Reporter cannot make a decision about a case until the replies have been received. It is important therefore, that the Child Protection Co-ordinator compiles an accurate report as quickly as possible, with sufficient detail to ensure that the Reporter's decision is based on good quality information (See Appendix 2). If the Reporter decides to refer the case to the Children's Panel, then the school may be asked to send a representative to the Hearing. This person will be expected to share his or her knowledge of the child with panel members. It is important therefore that whoever represents the school at the Hearing does have a good direct knowledge of the child.

100. In preparing reports for the Reporter and Child Protection Case Conferences, staff should be aware that parents will have sight of what has been said. Normally they will be present also at the Case Conference or Hearing. However, at the Case Conference, in exceptional circumstances, it is possible to request that information is given in closed meeting before the parents are admitted. With effect from 1 July 2003, children over the age of 12 will also have a right to access reports. Children under 12 will have a right of access where the report writer indicates that it would be in the child's best interests.

Maintaining Records and School Transfer

101. Where a child protection complaint has been received, but the child's name has not been placed on the Child Protection Register, either because the school did not refer the matter further, or because after investigation, social work considered that it was not a case for child protection, the school should maintain the record on the child's child protection file until he/ she has attained adulthood.⁵ A confidential copy of this information should be sent to any school to which the child subsequently transfers.

102. If social work inform the education authority that the child's name has been placed on the child protection register, a record of this fact, and associated documentation from social work and case conferences should be securely held on the child's file while s/he continues to attend. When a child whose name is on the child protection register changes school, the school which the child is leaving should:

⁵ In most instances this will be on the young person's nineteenth birthday, but for those young people whom the law treats as a child until they are eighteen, it will be on their 21st birthday.

- inform the receiving school immediately that his/her name is on the child protection register and transfer all relevant records;
- share the child's child protection plan with the receiving school;
- inform the case manager in social work.

103. If social work inform the school that the child's name has been removed from the register, the school should destroy any child protection records on the child supplied by other agencies, including records of case conferences, but retain in a secure file its own records until three years after the child attains adulthood.

104. In all cases where a child is changing school, there is a responsibility on the headteacher of the school which the child is leaving to make every effort to establish the name of the school to which the child is transferring. Where the onward destination of the child cannot be established, then the authority's Child Protection Officer should be informed, with a view to a search being made for the child through inter education authority links. If within 6 weeks no request for school records has arrived from the identified receiving school, the headteacher should make contact with the identified school to clarify the situation. **Under no circumstances** should a pupil be allowed to 'disappear from view' without the designated Child Protection Officers of both the leaving and the receiving authority being alerted.

Chapter 5: **Staff Issues**

Support for staff

105. Understandably, staff, even those with long experience of dealing with sensitive issues, can find dealing with child protection issues very stressful. It is essential that schools and authorities have in place structures to meet the needs of staff as well as of the children. Good practice would suggest that these include:

- annual reminders to all staff that they are operating within known and agreed education authority and school guidelines which provide a sound framework of support;
- regular opportunities to discuss with the Child Protection Co-ordinator and/or the headteacher situations which may be giving a member of staff concerns about a child;
- specific support for any unaccustomed tasks such as completing Hearing Reports, or attending a child protection case conference;
- senior management monitoring of work load to ensure additional pressures are kept to a minimum;
- access if required to more specialist help through the authority's Child Protection Officer.

Staff Training

106. Initial teacher training, and preliminary training for others working in schools, provides new entrants with an awareness of child protection issues. However, there is a need to ensure that this initial awareness is reinforced by training within school which looks at issues and actions in context. All staff, teaching and non-teaching, who have contact with children need training and refresher courses training on:

- the operation of child protection procedures in the context of their own school;
- recognition of possible abuse;
- responding to a child's disclosure of abuse or personal problems;
- responding to referrals from members of the public;
- allegations against staff and minimising risk;
- recording and report writing procedures;
- the responsibilities and work of the other agencies involved in child protection;

- procedures for external excursions and residential experiences; and
- the school's policy on vetting of volunteer adults assisting with classes or activities.

107. Education authorities or clusters of schools may wish to consider whether there are advantages in bringing together staff from more than one school for such training – for example whether a broader range of perspectives will contribute to increased staff understanding, or whether bringing together schools covering different ages and stages will facilitate a better consideration of issues relating to school transfer, and sharing of information.

108. Headteachers, Child Protection Co-ordinators and other front line staff, (for example members of a Governors' child protection sub-committee in an independent school), require additional training in:

- the law's requirements;
- dealing with allegations against staff;
- the operation of inter-agency procedures; and
- the implications of diversity (including culture, race and disability) for child protection. As part of this there is merit in such staff attending the inter-agency training provided by CPCs. Such training will complement education specific training, help to promote understanding of the respective roles of staff in each agency, and promote effective working relationships.

109. Chairpersons of school boards, and proprietors and governing bodies of independent, grant –aided and members of governing bodies' child protection sub committees should be informed about issues of child abuse and the importance of a prompt response to these issues. They also need guidance in the management of cases of suspected abuse, in order to provide appropriate support to school staff when cases arise. As far as is possible this training should be provided by other than the staff of the school.

110. Staff involved in the delivery of personal safety programmes as part of personal and social education should also receive training, to ensure that they:

- are well prepared to deal with the more sensitive aspects of the course;
- are able to promote the development of pupils' skills, knowledge and understanding on how to keep themselves safe; and
- can respond appropriately to any possible disclosures; and
- understand the need for parents/ carers to be fully informed of such programmes in order that, where possible, good account can be taken of religious and cultural views. This will be particularly important where education for personal relationships and sex education is involved.

Historic Abuse

111. Various studies have shown that most child abuse is never formally disclosed. Hence school and authority managers should be alert to the possibility that some members of staff may have personal experience of child abuse, and that memories of these experiences may be released by incidents in school or by child protection training. Should a member of staff disclose personal experiences, then the school and the authority should make every effort to provide appropriate support, and /or direct the member of staff to other sources of help. If there is the possibility that the alleged abuser is still in a position to abuse children, then this should be discussed with the member of staff, asking him/her to consider formally referring the matter. If this is unsuccessful, and the headteacher and or child protection co-ordinator believe that other children remain at risk, then they have a duty to refer the matter to social work.

Allegations against staff

112. If a complaint about possible child abuse is made against a member of staff, the headteacher and the Child Protection Co-ordinator must be informed immediately. In an education authority school, the headteacher should inform the authority's officer with responsibility for child protection. In an independent school the headteacher should inform the Chairman of Governors immediately. If the complaint is made against the headteacher, the Child Protection Co-ordinator must be informed immediately and s/he must inform the authority's officer for child protection and the Chairperson of the School Board. In an independent school the Chairman of Governors must be contacted immediately.
113. Any allegations against members of staff must be taken seriously, and initially, should be considered (not investigated) by an internal meeting involving the headteacher (unless s/he is the person complained of); the Child Protection Co-ordinator and the authority's Child Protection Officer or, in the case of an independent school, a member of the Governors' Child Protection sub committee. If the conclusion of the meeting is that the allegation is false, and that the matter should be taken no further, then the reasons for this should be recorded and placed in a confidential file. If it is considered that the allegation **may be valid**, then inter-agency child protection procedures and education authority/ Governors' disciplinary procedures should be invoked, and the police asked to investigate. In addition, however, the headteacher and the authority, or Chair of Governors in the case of an independent school, will wish to consider whether it is necessary either to remove the member of staff from contact with children or to suspend him or her from the school, without prejudice, for the duration of the investigation. They will also wish to consider whether to provide all parents/ carers with an initial notification that an allegation of misconduct has been made against a member of staff and that it is currently being investigated. No further details should be given at that time, although should the allegation be proven, parents should then be informed of the facts and the school's and the authority's or Governors' actions.
114. There may be occasions when, after police and social work investigation, there is felt to be insufficient evidence for a prosecution, or where a prosecution

does not result in a conviction. In these circumstances, if the headteacher and child protection co-ordinator believe that the member of staff represents a risk to a child or children, it is open to the authority or independent school to pursue disciplinary procedures against the member of staff. If the member of teaching staff is subsequently dismissed this information should be sent in writing to the General Teaching Council (GTC), and in the case of independent schools, to the Registrar for Independent Schools. The Protection of Children (Scotland) Act 2003 provides for Scottish Ministers to establish and maintain a list of persons unsuitable to work with children. It places a duty on organisations to refer people to the list. Full guidance will be provided as part of implementation and will be widely distributed to organisations employing people to work with children. In brief, if as a result of a full investigation, a member of staff is dismissed because s/he has harmed a child or put a child at risk of harm, s/he must be referred to the Scottish Executive for possible inclusion on the list. Where a case is also being considered by the GTC, a decision on listing will be deferred pending the outcome of the GTCs investigation.

Minimising Risk

115. In working with young people, it is possible for staff, through ill-considered actions, to lay themselves open to allegations of abuse. Their best protection is to encourage a climate of openness within the classroom, where pupils feel confident to point out aspects of behaviour they do not like. However, staff should note the following are potential areas of risk.

Private meetings with pupils – as far as possible staff should avoid 1:1 meetings with pupils. Where they are necessary to discuss something of a confidential nature, to provide individual tuition etc.. then if possible, such interviews / sessions should take place in a room with visual access or the door open and with another adult in an adjacent area.

Physical contact with pupils – as a general principle, physical contact with pupils should be minimised. However, particularly younger children, when distressed, may seek physical reassurance as they would from a parent, and staff should not feel inhibited from providing this **when the child initiates the contact and when it is appropriate**. Staff should never touch a pupil who has indicated that s/he is uncomfortable with it, unless restraint is necessary to protect the pupil or others from harm. Where restraint is required, the minimum force necessary should be used, and where possible another member of staff involved to witness and assist. In schools for emotionally and behaviourally disturbed pupils, where staff may require to physically restrain pupils on a regular basis, they should receive regular specialised training for this role, and even then, restraint should only be used as a last resort. All incidents of restraint should be logged, dated and signed in a log kept for that purpose.

Relationships with pupils - staff should ensure that their relationships with pupils are appropriate to the age, maturity and sex of the pupils. If a teacher suspects either that a child is becoming inappropriately attached to him or her, or that s/he

is developing feelings for the child not appropriate to a professional relationship, then the advice of a senior colleague or the headteacher should be sought.

Verbal interchange – Effective use of vocabulary is a key to good classroom control and teaching. Staff should be aware that there can be a very narrow line between remarks which the recipient perceives as fair and humorous and those which are felt to be hurtful and embarrassing. In particular staff should avoid making unfavourable comparisons, criticising the person rather than the behaviour and ‘picking on’ particular children.

Teaching materials – When teaching topics of a sensitive nature, for example sex education, race relations, war and holocaust studies, teachers should take care that the materials (and reasons for using them) are not capable of misinterpretation. If in any doubt about the suitability of the materials advice should be sought from a senior colleague or from the headteacher.

116. Following any incident where a member of staff feels that his/ her actions have been, or may be misinterpreted, a written report of the incident should be given as soon as possible to his/her line manager.

Recruitment of staff and use of Volunteers

117. All employers within education should ensure that their recruitment procedure includes a check on the possible criminal background of people who are likely to have substantial unsupervised access to children. This applies not only to teaching and non-teaching staff, taxi drivers and escorts transporting children with special educational needs but also to volunteers, parent helpers and **any other adult whose normal duties involve unsupervised contact with children under arrangements made by the school**. Teachers registered with the General Teaching Council for Scotland, are checked at the point of application for registration. However independent schools, who may employ unregistered teachers, should ensure that they obtain **Enhanced Disclosures** for all teaching staff. Full details on how to obtain checks are available from Disclosure Scotland (part of the Scottish Criminal Records Office). Their website address is www.disclosurescotland.co.uk.

118. The Protection of Children (Scotland) Act 2003 provides for a new list of persons unsuitable to work with children. It also creates a new offence which organisations will commit if they knowingly employ to work with children a person, whether paid or unpaid, if they are on the list. The fact that a person is on the list will be available only as part of a disclosure check. Therefore it will be essential to obtain disclosure checks for all those in a child care position as defined in Schedule 2 of the Act.(see Appendix 3). Full guidance will be issued prior to the implementation of the provisions of the Act.

119. However, a significant proportion of child abusers are not known to the authorities. It is therefore equally important that in the appointment both of school staff and of volunteers, good recruitment arrangements are in place. These should include:

- open advertising of the position;

- a clear remit against which candidates' qualifications can be checked;
- obtaining at least 2 independent references;
- interviewing applicants;
- verification of the identity of the appointee;
- making ancillary and volunteer appointments on a 2 month trial basis; and
- monitoring the new appointee and providing him/her with a mentor and feedback on his/ her performance.

120. Schools or Governors should not waive these procedures for fear of causing offence to parents or friends of staff. Their overriding responsibility is to protect the children in their care, and genuine applicants should not be deterred by having their appropriateness scrutinised.

Chapter 6: Education for child protection

121. Schools can play a part in the prevention of child abuse through the curriculum by:

- raising pupil awareness of risks;
- developing in them skills which will help them to keep themselves safe;
- helping them recognise behaviours in others which make them feel uncomfortable; and teaching them how to respond in order to protect themselves or others.

122. There are 3 dimensions to such a curriculum:

- personal safety education;
- cross curricular and informal curricular initiatives;
- specific courses on childcare and parenting

Personal safety education

123. Following the publication in 1996 of *A Commitment to Protect*, there has been a national expectation that 'all education authorities should have in place a personal safety programme promoting pupils' skills, knowledge and understanding to assist them in living safely and to feel empowered to reject inappropriate behaviour.' The Scottish Office publication *Promoting personal safety and child protection in the curriculum 1998* provided schools with good guidance on approaches to developing such a personal safety curriculum, and the range of resources then available. Key components of such a curriculum should be:

- respect for self and others (children's rights, anti bullying, valuing diversity; citizenship);
- risks from the environment (prevention of accidents);
- risks from others (bullying; internet chat rooms; sex offenders; prostitution);
- risks from one's own actions (alcohol, drugs, dangerous relationships, running away);
- risk assessment; and
- sources of help.

124. More recently the need for such a curriculum has been reinforced by the Expert Panel on Sex Offending Report published in June 2001, *Reducing the risk -improving the response to sex offending* (the Cosgrove Report). Within it are recommendations on how best to protect vulnerable young people from abuse and

how best to treat young people who are causing concern because of sexually aggressive behaviour or offending. A list of the relevant recommendations is attached at Appendix 4. The Expert Panel on Sex Offending recommended the universal promotion of personal safety programmes through the education system and the promotion of healthy and safe relationships within these programmes.

125. Education in personal safety should be available to all pupils, including in independent, grant-aided and residential schools, and should be a progressive programme that is taught throughout the school year. School staff should consider the benefits of involving members of other agencies, in the delivery of these programmes. Teachers and such other professionals involved in its delivery should receive appropriate training.
126. In developing a personal safety course, there is a need to ensure that children's awareness is raised without causing undue anxiety. In line with the advice in *Circular 2/2001* sex education should '*provide provide knowledge and understanding of the nature of sexuality and the processes of human reproduction within the context of relationships based on love and respect. It should develop understanding and attitudes, which will help pupils to form relationships in a responsible and healthy manner*'. The principles and aims of sex education, as recommended by the Working Group on Sex Education are set out in Appendix 10.
127. It is important that the materials and approaches used are appropriate to the age and experience of the children, and that progression is evident to the children themselves. Materials appropriate to the needs of children in one school may be 'over-the-head' of those in another. However it is never too early to begin – increasingly nurseries find themselves addressing the needs of the children of drug using parents.
128. It is important that education about protection from child abuse is linked in other aspects of the formal and informal curriculum. Young people need to learn about personal safety in relation to mobile phones and texting, computer use, and in the environment when engaged in outdoor education or fieldwork. Teaching should also include guidance which helps children and young people to develop the necessary skills which will alert them to inappropriate behaviour. The very close links between education for personal and social development and health education must not be forgotten. Good personal safety courses extend beyond catalogues of information to opportunities to develop values and practice relevant skills in role play and game situations. Pupils need to regularly revisit these experiences in varied and more demanding ways if they are to maintain and develop their skills and understanding. This presents a particular challenge when pupils move to the next stage of their education, and requires good links between establishments. In putting such courses into place, schools should ensure that parents are aware of the contents, both as a way of developing partnership, and to better inform parents themselves about the nature of the risks to which children are exposed. Such communication should be two-way, allowing parents to express any concerns they have about personal safety programmes.

Personal Development - Cross curricular and informal curricular initiatives

129. Many children are vulnerable to abuse because they lack self-confidence or a sense of self worth. Others have had their sense of self systematically eroded by the circumstances in which they live. School staff can do much to help restore children's sense of self esteem.

- Whole school and class initiatives which seek to identify and recognise individuals' strengths can contribute to a better sense of worth;
- Well- judged allocation of responsibilities to individuals can enable them to experience the success of a task well –performed;
- Effectively planned circle time can enable younger children to hear the positive comments of their peers;
- Opportunities to participate in extra curricular activities or residential experiences can develop social and non- academic skills;
- Good whole school anti- bullying initiatives address the whole range of peer behaviours which can result in children feeling diminished;
- In particular cases, a specific plan which enables a child to receive regular 1:1 attention from a caring adult may help them develop appropriate relationships.

130. Special efforts should be made to engage with those children who are less easy to reach, such as those with a history of truancy. For such children programmes can be delivered through other forms of community activities.

Childcare and parenting

131. When children have not experienced good parenting and affection themselves, they have difficulty in identifying the range of behaviours which will allow them, in turn, to be good parents. Although a number of people are able to overcome childhood adversity, some parents who were themselves neglected or abused as children, are unable in adulthood to protect their own children from abuse. Family centres and adult parenting classes address these concerns, but often only after problems are already evident. There is a place within the mainstream school curriculum for certificated childcare and parenting courses, which will allow young people to learn the principles of child development and the roles and responsibilities of parenthood and also to develop practical skills in school based crèches or through work experience. Such courses, dealing as they do with the fundamentals of human relationships, are appropriate for all young people, but will be particularly valuable for young people who for one reason or another have been deprived of a caring home life.

Chapter 7: **Guidance on Special Issues**

Boarding Schools or Hostels

132. Children living away from home for significant periods of time are often more vulnerable in a variety of ways:
- lack of strong family contacts may result in a readiness to form close emotional attachments to peers or adults;
 - emotional or academic stress can result in young people developing self harming behaviours including substance misuse and eating disorders;
 - close and sustained contact with peers may result in their succumbing to peer pressure, becoming the victim of bullying or themselves indulging in bullying;
 - the balance between supervising free time and promoting young people's independence may result in young people becoming involved in potentially risky activities in their leisure time, without the risks having been fully assessed;
133. Such vulnerability can result in children becoming the victims of abuse by themselves, by their peers or by adults, known and unknown.
134. As part of their induction packs, all boarding schools and hostels should provide clear information on sources of support for pupils who are unhappy or feel threatened. As well as including school or hostel based contacts, these should include reference to ChildLine, to the local authority's children's rights officer and, in the case of independent or grant aided schools, to an independent visitor and / or visiting governor. A copy of the school complaints procedure should also be included.
135. Boarding schools and hostels should ensure that pupils are enabled effectively to sustain family contacts through a range of methods including telephone, fax and e-mail, thus reducing feelings of isolation.
136. Accommodation arrangements, including toilets, showers, and sleeping facilities should have regard for pupils' rights to dignity, privacy and personal space.
137. Staff should have in place good formal and informal methods of monitoring the welfare of the pupils in their care. These should include an adequate supervision ratio (the nature of which will vary depending on the age of the young people and the lay-out of the premises), regular individual and group meetings and informal observation at meal times and in free time. The residence should have in place good monitoring procedures for pupil eating and sleep patterns to assist early identification of such difficulties as anorexia or substance abuse.

138. Where pupils leave the site in their free time, there should be good procedures in place to know the whereabouts of the pupils, the activities involved and the expected time of return. Particular care should be exercised over potentially risky activities such as attendance at parties, details of which are vague, or baby sitting where there are issues in relation to how the young person will get back to the residence.
139. In circumstances where inappropriate relationships have developed, there is a need to address these matters openly, seeking help for both parties from other relevant agencies. Particularly where a young person can be seen as potentially abusive, it is important that appropriate support is sought for that young person, drawing on the specialist skills of social work services and psychiatry.
140. Care is needed to promote an inclusive ethos where all members of the school community, whatever their gender, race or religion, are valued equally. Boarding schools in particular often encourage the development of group activities ranging from cadet forces, through sports teams to pipe bands. Understandably considerable emphasis is placed on belonging to such groups and developing a strong group ethos. Care is needed however that features of such group ethos do not include inappropriate initiation ceremonies or the disparagement of the non-members, both of which can result in group bullying.

Residential Visits

141. Generally school residential visits fall into 3 categories:
- exchange visits or other organised trips, for example of a school orchestra or sports team where accommodation is provided in the homes of families not directly known to the school;
 - outdoor education courses run by external centres where the children stay in accommodation provided by the centre, and are mainly under the direction of centre staff; or
 - field visits or trips where the school itself organises the accommodation and supervises the children throughout the visit.
142. Each type of visit has the potential for child protection issues to arise, albeit the issues themselves may differ.
143. In the exchange situation, there is a risk that a child may be placed in a family where abuse exists, or where the level of supervision is so low that he or she is exposed to significant risk. In planning a trip involving home stays, the school should agree a set of standards for home stays and for supervision with the local organiser. Guidance on such standards is included in *The Protection of Young People in the Context of International Visits Revised Edition 2002*. There should also be an expectation that, provided such procedures exist, host families are appropriately checked under Disclosure or other appropriate systems such as seeking references. Group leaders should make daily contact with all members of

the group to satisfy themselves that all is well. Children involved and their parents should be given emergency numbers for contact should problems arise.

144. In outdoor education situations, the authority or the school in the case of independent or grant aided schools, has a duty to satisfy itself that the selected centre has clear child protection, security and health and safety policies and procedures, a child protection co-ordinator and that staff offering agreed activities are appropriately qualified to teach them and have had appropriate disclosure checks. Such issues should have been fully explored prior to the beginning of the visit. However organisers should also be alert to last minute alterations, possibly in response to changes in weather conditions, and should be prepared to refuse to allow children to participate, if they are not satisfied that staff are appropriately qualified. Where the Centre is being shared with one or more other party, organisers should also satisfy themselves that the arrangements in place allow them to provide adequate supervision for their own pupils.

145. Where the school fully organises its own trip, there is a significant burden of responsibility on the authority to ensure that appropriate steps are taken to secure participants safety and welfare. The following are features of good practice.

- a code of conduct should be agreed with both parents and pupils prior to departure, and decisions taken on the response should it be broken;
- organisers should be satisfied that the accommodation is appropriate, and in particular that the bedroom arrangements enable suitable room sharing arrangements in terms of age and gender and appropriately located staff bedrooms for both supervision and ease of access in case of emergency;
- both daytime activities and evening leisure should be adequately supervised.

146. Particularly on trips taking place during holidays, it is understandable that both staff and children should feel that greater informality is appropriate. However there is a significant difference between a more informal approach, and a failure to exercise due care. In particular:

- young people should not be permitted to wander alone in unfamiliar places;
- staff should not fraternise or be over-familiar with pupils;
- even in countries where the legislation with regard to alcohol or drugs is more lenient than in Scotland, staff should not condone young people drinking alcohol or taking drugs when they could not legally do so in Scotland;
- free time for pupils does not equate with free time for staff.

147. Even when all aspects have been well considered, it is still possible that an abuse incident may occur – for example a young person being molested in the street by a stranger. Should such an incident occur, teachers should follow the guidance in Appendix 9 on listening and recording. Where it is believed a crime

has / may have been committed a referral should be made to the relevant police service immediately. (Although it should be noted that particularly in relation to sexual activity, different countries have markedly different ages of consent). The school's own Headteacher or in his/ her absence the Child Protection Co-ordinator should be contacted as should the authority's Child Protection Officer. Contact with the parents of those directly involved should be made as soon as what has happened is relatively clear. Generally, it will be more appropriate for the Headteacher or authority representative to contact other parents or carers within the group to explain as clearly as possible what the situation is and what is being done, leaving the staff on the trip free to support the pupils there. (Given the general availability of mobile phones, any significant delay in contacting parents should be avoided to prevent the spread of rumours).

Community service and volunteering

148. Increasingly children and young people are being encouraged to contribute to the welfare of the community including:

- as part of a curriculum initiative, for example through Social and Vocational Studies (SVS);
- as part of the school's planning for citizenship education; or
- through extra-curricular activities such as The Duke of Edinburgh's Award Scheme.

149. Where placements are being arranged for pupils, or where pupils themselves have arranged the placements, schools should satisfy themselves, that **the child protection policy** of the organisation concerned, affords adequate protection for the pupil. If they have any concerns in relation to this, they should seek advice from *Volunteer Development Scotland – Stirling Enterprise Park, Stirling FK7 7RP Telephone 01786 479593*. If concerns remain, these should be raised with the education authority's child protection officer. The Scottish Executive is currently preparing further guidance on volunteering by schoolchildren which will be issued in due course.

Children whose parents are in the armed forces

150. Each service has its own welfare organisation, offering support to service families. Details of these are given at Appendix 5. Where a school has welfare or child protection issues in relation the child of a service family, these concerns should be shared with the relevant welfare organisation, to maximise support for the child and family. However, where there is a definite child abuse concern requiring further investigation, a formal referral must be made to the local authority social work services department, with the referral intimated to the relevant service welfare organisation.

Children and young people from minority ethnic communities

151. The Race Relations (Amendment) Act 2000 puts a statutory general duty on a wide range of public bodies, including education authorities / schools, to eliminate unlawful racial discrimination, and to promote race equality and good race relations. Specific duties to help meet the general duty have also been placed on some public authorities, including education authorities / schools, arrangements for which had to be in place by 30 November 2002. Guidance on meeting the requirements of the Act, including guidance for education authorities and schools in Scotland, has been produced by the Commission for Racial Equality in Scotland (the CRE Scotland). The Children (Scotland) Act 1995 requires that, when providing services and making significant decisions to safeguard and promote children's welfare, *a local authority shall have regard so far as is practical to the child's religious persuasion, racial origin and cultural and linguistic background*. These considerations should inform the assessment of and planning to meet children's needs. Authorities and school staff need to understand and respond to the effects of racial harassment, racial discrimination and institutional racism, as well as cultural misunderstanding or misinterpretation.
152. All children have the right to be safe from abuse, whatever their race. School staff should ensure that they are not deterred from recognising or challenging the abuse of children from minority ethnic communities through fear of 'getting it wrong'. If in doubt, advice should be sought from specialist agencies through the authority's child protection officer.
153. Adequate translation and interpreting services should be made available so that children and families from minority ethnic communities can understand what is happening at all stages and participate fully. Interpreters should, wherever possible, be independent of the local ethnic community, have skills in interpreting for child protection purposes and be aware of the need to maintain confidentiality. Children should not be expected to interpret for their parents or carers (and vice versa) during child protection enquiries. Further advice is contained in the Scottish Translation, Interpreting and Communication Forum's Good Practice Guidelines.

Refugees and asylum seekers

154. Children, or their families, who come to this country seeking asylum or remain as refugees may have undergone a series of traumatic experiences:
- the circumstances which gave rise to their leaving home;
 - the loss of friends and in some instances close family members;
 - long, complex journeys; and
 - uncertainty about the present and the future.

155. In addition, on arrival in Britain, families are faced with an unfamiliar and often hostile environment. The operation of our education, health, and social work systems are not well understood, and most families experience racial harassment in the community. Financial support for families is very limited. Increasingly some young people are arriving unaccompanied, or having been rejected by the extended family intended to look after them. This range of experiences leaves both families and children very vulnerable. Education authorities and schools should be alert to a range of possible child protection issues – self harm, racial harassment, emotional vulnerability. They should make it clear to the children and their families that they will support all children involved, and that such incidents will be taken seriously.
156. Schools should also use their best endeavours to provide structures of support which children of refugee and asylum seeking families feel able to access for help if necessary. Particular vigilance should be kept for absence as a result of bullying. Lack of fluency in English and a possibly prolonged period of missed or disturbed education may place additional stresses on such children. In bringing together children and young people from the same country or area, education authorities and schools should also be alert to the possibility that they may come from opposing factions or sects in that country. When a school admits a child with a refugee or asylum seeking background, it should prepare a plan for that child, identifying any additional support needs of the child (linguistic, academic, social and developmental) and the actions to be undertaken by the school. Where the need for further support from other agencies is identified the school should seek to access these on behalf of the child. Transition points, from nursery to primary or from primary to secondary are known to be particularly stressful and planning should pay attention to supporting the children and young people at that time.

Gypsy and Traveller Children

157. It is important that any policies and practices developed for Child Protection are sensitive to the diversity between and within the different Gypsy and Traveller groups.
158. Gypsies and Travellers generally lack confidence and trust in dealing with authorities and many are reluctant to involve public services in the resolution of their problems. Gypsy and Traveller families travel to maintain family and kinship links. Moreover, some families move as work opportunities arise, so children enrolled at school can be withdrawn suddenly, often with no indication of where they have gone or for how long. It is easy to lose track of mobile children, particularly when families lack literacy and cannot provide a forwarding address. Schools should develop positive partnership approaches with families to ensure that they do alert the schools to any absences and give some indication of when they are likely to return. They should be encouraged to communicate by telephone if necessary, so an answering machine would be useful for when the school is closed. Schools who wish to maintain contact with travelling pupils can sometimes keep in touch with them through the network of contacts within the Traveller Education Services. (An electronic version of the contacts booklet is now available on the Scottish Traveller Education Programme web

<http://www.education.ed.ac.uk/step/>. There is also the Traveller Education email facility where schools can log on to request information or pass on messages.)

159. Showground families have predictable patterns of travel so winter-base schools can and should keep regularly in touch with these families while travelling, generally by mobile telephone. The children usually return to the same school each winter. If, however, a child has not returned by the expected date of return, or by November at the latest, the base-school should contact other schools in the authority area to see if the child has been enrolled elsewhere. If a child's whereabouts cannot be traced, the base school should inform the education authority's designated person who can make formal arrangements for finding the whereabouts of the family. This can be done with the help of the office of the Showmen's Guild.
160. The children of travelling families are often the subject of bullying or racial harassment. In addition, some Gypsies and Travellers lack confidence in the school's pastoral system or in other adults who may be able to offer support. Schools should be alert to incidents of bullying and harassment. They should make it clear to Gypsies and Travellers that they will support all children involved, within a no-blame approach, and that such incidents will be taken seriously. They should also use their best endeavours to provide structures of support which children of travelling families do feel able to access to seek help if necessary. Particular vigilance should be kept for absence as a result of bullying.
161. Many Gypsy and Traveller children drop out at the upper stages of primary and few enrol at secondary school. This can be despite the wishes of the child to continue at school. In such cases, the school should seek to ascertain the views of the child(ren) and, if they have any concerns, take appropriate action. Schools and education authorities must find positive and supportive ways to work with families, to build trust, and to help them understand the pastoral care role of education.
162. Gypsy and Traveller children are perhaps more vulnerable when things go wrong, because they do not know their rights, nor have they acquired trust in 'outsiders' to act sensitively on their behalf. Where there are suspicions of abuse, it is important that schools work with the relevant trained professionals. It is at the same time, important to consider the needs of the families who have low or no levels of literacy, little understanding of the law and how it affects children, and whose culture is based on the integrity of the family.
163. Schools and education authorities may find it useful to refer to guidance produced by the Scottish Executive, STEP, and Learning and Teaching Scotland, called, 'Inclusive Educational Approaches for Gypsies and Travellers within the context of interrupted learning'

Very Young Children

164. All very young children are at risk of harm, if allowed to leave nursery or primary school unaccompanied. This risk may be significantly increased for those whose journeys home may mean the crossing of busy main roads. Good practice

by pre-school establishments and those in charge of the early stages in primary schools minimising these risks includes:

- ensuring that each child is dropped off and collected by a safe, known adult, and checking that that is the person who collects them at the end of the day.(From primary 1 onwards, a growing number of parents will not consider it necessary to meet their children. However, schools should maintain a clear record of which early stages pupils will be collected at the end of the day, and by whom.)
- parents / carers being asked to give advance notice of any necessary change in these arrangements, and such changes being clearly recorded within the nursery or school.
- being satisfied that the adult collecting the child is in a fit state to care for the child (If there are any doubts on this matter the parental emergency contact number should be used to identify another appropriate adult who can collect the child, or, if no alternative is available, staff should contact social work and ask them for support.)
- children not being released to other adults or older children without prior notification.
- where a child who is due to be collected is not collected, s/he being retained in school until an adult can be contacted to find out the problem and agree a solution.
- supervising pupils who may require to remain in school for the school bus until the end of the longer afternoon session for older pupils.
- maintaining clear records of named individuals who are **not** permitted to collect particular children (for example an estranged parent).

Bullying and Young Abusers

165. Bullying is a form of abuse , where deliberately hurtful behaviour is repeated over a period of time, and where the victim may find difficulty in defending him/herself. Under no circumstances should staff ignore such behaviour, although in most instances well designed anti-bullying procedures should be able to address the issues without resort to formal child protection procedures. However, sustained bullying can be profoundly damaging to the victim, and has been known to result in attempted suicide. Where a pupil's bullying behaviour is persistent and does not respond to the school's normal strategies then child protection procedures should be invoked.

166. In some instances, the harm caused by one pupil to another extends beyond bullying. Most commonly this occurs when one child seriously physically or sexually assaults others. Where this is alleged, child protection referrals should be made for **both** the victims and the alleged abuser. Abusers often have themselves been abused. Also, work with adult abusers has shown that many began abusing in childhood and adolescence and that abuse is likely to become progressively more

serious – it is therefore most important that help is provided for the abuser as well as the victim. Children who are abusive towards other children require comprehensive assessment and therapeutic intervention by skilled child care professionals. This treatment is more likely to be effective if begun early in the child's life. The Cosgrove Report stressed that *where young people are beginning to demonstrate sexually inappropriate behaviour, early intervention is required to prevent offending. Where young people have already offended in some way, the focus should be on specialist interventions* and personal change programmes to tackle the problems of young sex offenders. The Cosgrove Report also highlighted evidence that many young sex offenders or children demonstrating sexually inappropriate behaviour have a degree of learning difficulty. Since they usually have extensive personal needs, programmes should address their welfare needs as well as criminal and sexually aggressive behaviour.

167. The headteacher and the Child Protection Officer also need to consider whether other procedures need to be put in place to protect other children from the abuser, and take steps immediately to implement any believed to be necessary.

Looked After Children

168. The Who Cares? Scotland report called, '*Feeling Safe?*', highlighted that children and young people who are looked after / accommodated do not always feel safe. They have revealed to Who Cares? Scotland workers that they are at risk of physical, sexual or racial abuse, or at risk of misusing alcohol or drugs, self-harming behaviour or prostitution. Education authorities and schools should be alert to this range of possible child protection issues relating to looked after / accommodated children and young people.

Children and Young People with Special Educational Needs

169. Studies have shown that for a variety of reasons, children with special needs, and particularly those with multiple disabilities may be more vulnerable to being abused. They may:
- have fewer outside contacts than other children;
 - lack an awareness of what constitutes abuse;
 - have communication difficulties which make it difficult to tell others what is happening;
 - receive intimate personal care which can increase the risk of exposure to abusive behaviour;
 - be inhibited from complaining about adult or peer behaviour for fear of the consequences;
 - place themselves at risk through their own socially inappropriate behaviour.

170. Staff therefore have a particular need to be alert to possible indicators of abuse in relation to children with special educational needs. At all stages, the provision of a good, appropriate, and if necessary individualised programme of personal and social education (including sex education) is very important and should be a key feature of pupils' individualised educational programmes (IEP). These children, in common with all others, need to be clear about how, and with whom, they can raise concerns if they are worried or angry about something. Where children have a communication difficulty it is particularly important that, at all times, they have access to a means of being heard.
171. When schools provide intimate care to children and young people, they should ensure that staff are fully aware of and implement the guidance provided in the Scottish Office publication *Helping Hands – Guidelines for Staff who provide Intimate Care for Children and Young People with Disabilities*.
172. In the case of a Child Protection investigation becoming necessary, schools have a key role in providing support for children with special educational needs, and in some instances providing advice to or acting as interpreters for the investigating officers; (or where necessary, securing the services of an independent interpreter.) Where an allegation of abuse involves a member of staff, then it is essential that an independent interpreter is used.

Computer Safety

173. The increased use of information and communications technology in our schools is bringing significant benefits to both teachers and pupils. However it can also expose users to risks, including exposure to obscene and/ or violent material, bullying or intimidation through e-mail, identification through access to a school website, and contact in chat rooms with adults who wish to exploit them. A range of specialised guidance is available to schools, including *Click Thinking* published by the Scottish Executive, and a *Superhighway Safety* information pack obtainable from the BECTA website.
174. Education authorities and others responsible for schools, should have in place an appropriate filtering system to protect users from accidental exposure to unsuitable materials during internet searches. They should also have in place an 'Acceptable use policy' for staff and students and share this with parents. This should include guidance on aspects relating to pupil safety:
- the content of school websites, and in particular the risks of enabling individual children to be identified;
 - the use of internal and external e-mail;
 - school responses to inappropriate messaging through e-mail or by texting/digital imaging on a mobile phone;
 - access(if any) to chat rooms;
 - protocols in relation to internet searches;

- monitoring arrangements and means of identifying any pupils or staff accessing inappropriate materials.

175. However the greatest protection for children lies in their development of safe and discriminating behaviours in relation to computer use. These are skills which can and should be taught progressively as part of the curriculum. Pupils should be enabled to:

- evaluate web sites;
- respond appropriately to e-mails and chat conversations, including telling staff/ parents of inappropriate approaches; and
- know when, where and how it is appropriate to share personal information.

Under-age sexual activity

176. Individual cases can vary widely from the possibility of rape or inappropriate adult pressure to willing participation in intercourse or exploratory childish activity. Although these different situations will ultimately result in different responses to children's needs, the initial actions of staff and child protection co-ordinators should be the same as in any other case of suspected child abuse. A careful assessment of the situation is important. Where the co-ordinator suspects that abuse has taken place, the matter must be referred to social work services and/ or the police. Intercourse with a person under 16 years of age involves a criminal offence even when both parties appear willing. There is also the possibility that the young person may be at risk of substantially greater harm:

- overt sexual behaviour by younger children is a possible sign of their own sexual abuse which should be investigated;
- older children, without realising it, may in fact be being groomed for involvement in prostitution.

177. Where girls or boys are at risk of sexual exploitation through prostitution, this may not accord with the traditional stereotypes of standing on street corners, sex with strangers, cash in hand. It may include the provision of sexual services in exchange for other forms of payment - drink, drugs, consumer goods or even shelter for the night. In some cases there may be no exchange of material goods and the child or young person may not recognise that they are being sexually exploited. The relationship, however, will be characterised generally by co-ercion and intimidation. Guidance on potential indicators of involvement in sexual exploitation and abuse was published in December 2002 by the Working Group on Young Runaways and Children Abused through Prostitution, and is contained in Appendix 6 of this child protection guidance.

Forced Marriages

178. In some cultures, arranged marriages are a traditional way in which parents take a leading role in the future of their children. However there is a clear distinction between arranged marriages, which have the consent of both parties, and forced marriages where one or other party does not consent. Where pupils, particularly girls are taken on extended visits to the parental country of origin, schools should be aware of the possibility of forced marriage. They should seek to establish where the pupil is going and for how long. If the pupil does not return as expected and no good explanation is forthcoming, the school should alert the authority Child Protection Officer, who in turn should contact the Foreign and Commonwealth Office with all known details. Secondary schools should ensure that pupils from minority ethnic communities have knowledge of specialist help organisations, have an awareness of the risk of forced marriage and, if going on extended visits to their country of origin, are aware of Foreign and Commonwealth guidance – see Appendix 7.

APPENDIX 1

DESCRIPTIONS OF CATEGORIES OF ABUSE FOR REGISTRATION

1. This Appendix gives the descriptions of the categories of abuse used when children's names are placed on the Child Protection Register.
2. **General definition of abuse** - children may be in need of protection where their basic needs are not being met, in a manner appropriate to their stage of development, and they will be at risk from avoidable acts or omission on the part of their parent(s), sibling(s) or other relative(s), or a carer (i.e. the person(s) while not a parent who has actual custody of a child).
3. To define an act or omission as abusive and/or presenting future risk for the purpose of registration a number of elements must be taken into account. These include demonstrable or predictable harm to the child as a result of action or inaction by the parent or other carer.
4. **Categories of abuse** - for recording all cases the following are the standard categories of abuse. Although these are presented as discrete definitions, in practice there may be overlap between categories. In such cases local authorities should enter the child's name on the Child Protection Register under one main category of abuse although for the purpose of individual case management, the case conference may identify combinations of abuse categories which the child protection plan will need to address. It may also become necessary to change the category of abuse under which a child is registered as a case progresses.

Physical Injury

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

Sexual Abuse

Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour.

Non-Organic Failure to Thrive

Children who significantly fail to reach normal growth and developmental milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

Emotional Abuse

Failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child.

Physical Neglect

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child.

Recognition of Abuse

School staff, both teaching and ancillary, because of their day-to-day contact with individual children, are particularly well placed to observe outward symptoms of abnormality or change in appearance, behaviour, learning pattern or development. Such symptoms may be due to a variety of other causes, including bereavement, domestic violence or other changes in family circumstances, or drug, alcohol or solvent misuse. Sometimes, however, they may be due to child abuse. For example the following may be noticeable:

- bruises, particularly bruises of a regular shape which may indicate the use of an implement such as a strap, or the marks of a hand, lacerations, bite marks or burns;
- possible indicators of physical neglect, such as inadequate clothing, poor growth, hunger, poor hygiene;
- possible indicators of emotional abuse, such as excessive dependence; attention seeking; self harming;
- possible indicators of sexual abuse –physical signs such as bruises, scratches or bite marks to thighs or genital areas; or behavioural such as precocity, withdrawal or inappropriate sexual behaviour.

Any of the above may be accompanied by marked deterioration in performance or increased absenteeism – both of which can in themselves be indicators of abuse.

No list of symptoms can be exhaustive. Also alternative medical, psychological or social explanations may exist for the signs and symptoms described. In particular bruises to the legs are usually accidental.

Consultation -This could be significantly longer and more detailed – some versions also give counter indicators. What is an appropriate level of detail?

APPENDIX 2

PROTOCOL: REFERRALS TO THE CHILDREN'S REPORTER FROM EDUCATION - Taken from 'Blueprint for the Processing of Children's Hearing Cases', Inter-agency Code of Practice and National Standards, Second Edition 2001

1. PURPOSE OF PROTOCOL AND GENERAL PRINCIPLES

- 1.1. This Protocol is applicable to all referrals to the Children's Reporter irrespective of the initial nature of the concern and it is designed to ensure that everyone is clear about the legal and practice principles which apply when considering referrals to the Children's Reporter. It provides a framework within which existing good practice can be further developed. Good practice requires the careful exercise of professional skill and judgement. No protocol can cover every possible eventuality nor prescribe action in every particular case. All those with responsibility in this area will continue to operate within a procedural framework and to enjoy the necessary level of confidence to exercise judgement about the most appropriate response in specific circumstances.
- 1.2. Ensuring the swift and well-informed referral of vulnerable children who require compulsory support, guidance, protection and control is the overriding consideration. By applying the same principles in a consistent manner, everyone involved in responding to children's needs is helping the system to treat vulnerable and needy children fairly, promptly and effectively.
- 1.3. The decision to refer a child to the Children's Reporter is a significant step with potentially far reaching consequences for the child and his/her family/carers. The Scottish Children's Reporter Administration and The Association of Directors of Education have developed this ⁶guidance following extensive consultation throughout both agencies to ensure that children and young persons are speedily referred where circumstances require the Reporter to consider whether or not compulsory measures of supervision are required. This protocol's application includes any child who is already subject to a supervision requirement.
- 1.4. The introduction of this protocol complies with point 1.1 of the Inter-Agency Code of Practice contained in the *Blueprint for the Processing of Children's Hearing Cases* which was adopted nationally on 1st April 1999. The Blueprint was developed by the Time Intervals Working Group, set up in the early part of 1997 by Sam Galbraith (from May 1999 Minister for Children and Education in the new Scottish Executive). The protocol aims to contribute to the reduction of inconsistent practice and lengthy delays in the processing of children's cases identified by the working group.

2. PREVENTIVE SERVICE AND BEST PRACTICE - GENERAL PRINCIPLES

⁶ Blueprint for the Processing of Children's Hearing Cases', Inter-agency Code of Practice and National Standards, Second Edition 2001, Scottish Executive publication, January 2001

2.1. Education and partner agencies should attempt to provide sufficient support at an early stage to reduce the need for consideration of compulsory intervention in families' lives by way of referral to the Reporter. However, where a family is unable to care appropriately for their child, or where a child's failure to attend school raises the question that the child may be in need of compulsory measures, Education requires to consider prompt referral to the Reporter. Where, for example, there are significant concerns about the safety of a child or a child is considered to be at risk of injuring himself/herself or others, early referral to the Reporter is appropriate. Education staff require to exercise discretion in distinguishing between children in relation to whom there are serious concerns of such a nature and situations which present minor issues where children are not thought to be at serious risk.

2.2. While all allegations of a child being in difficulties should be taken seriously, it is recognised that informal resolution by an appropriate agency of minor issues where a child/children are not considered to be at serious risk may well be the most appropriate action to take and referral to the Reporter, in such circumstances, may not be necessary. A referral to other appropriate resources in or outwith the local authority may be a sufficient response and this is a matter for the responsible exercise of professional discretion on a case by case basis.

2.3. In keeping with the Children (Scotland) Act 1995, a number of general principles should be applied when decisions are being taken:-

- The child's welfare shall be the paramount consideration when deciding whether or not to refer a child to the Reporter.
- Local authorities and partner agencies are required to take into account the views of children and families and to work in partnership with them.
- Intervention should only take place where necessary to promote the child's welfare.
- Local Authorities have a statutory duty to safeguard and promote the welfare of children and, so far as it is consistent with that duty, promote the upbringing of such children by their families.

2.4. It is of critical importance that practitioners balance the need for intervention to be made only when appropriate and the basic principle which requires that children and families are listened to and their views taken into account.

3. **STATUTORY FRAMEWORK -CRITERIA FOR REFERRAL**

3.1. Where a local authority receives information which suggests that compulsory measures of supervision may be necessary, the local authority must inquire into the matter unless satisfied that such inquiries are unnecessary. Where a local authority does not believe that compulsory measures of care are necessary it does not need to refer the child to the Reporter. If it appears that compulsory measures may be required, they shall give such information as they have been able to discover about the child to the Reporter.

3.2. The question of whether compulsory measures of supervision are necessary in respect of a child arises if at least one of the following conditions mentioned in Section 52 of the Children (Scotland) Act 1995 appears to be satisfied, namely that the child:-

- (a) is beyond the control of any relevant person;
- (b) is falling into bad associations or is exposed to moral danger;
- (c) is likely _
 - (i) to suffer unnecessarily; or
 - (ii) be impaired seriously in his health or development, due to lack of parental care;
- (d) is a child in respect of whom any of the offences mentioned in Schedule 1 to the Criminal Procedure (Scotland) Act 1995 (offences against children to which special provisions apply) has been committed;
- (e) is, or is likely to become, a member of the same household as a child in respect of whom any of the offences referred to in paragraph (d) above has been committed;
- (f) is, or is likely to become, a member of the same household as a person who has committed any of the offences referred to in paragraph (d) above;
- (g) is, or is likely to become, a member of the same household as a person in respect of whom an offence under sections 1 to 3 of the Criminal Law (Consolidation)(Scotland) Act 1995 (incest and intercourse with a child by step- parent or person in position of trust) has been committed by a member of that household;
- (h) has failed to attend school regularly without reasonable excuse;
- (i) has committed an offence;
- (j) has misused alcohol or any drug, whether or not a controlled drug within the meaning of the Misuse of Drugs Act 1971;
- (k) has misused a volatile substance by deliberately inhaling its vapour, other than for medicinal purposes;
- (l) is being provided with accommodation by a local authority under section 25 or is the subject of a parental responsibilities order obtained under section 86 of this Act and, in either case, his behaviour is such that special measures are necessary for his adequate supervision in his interest or the interests of others.

3.3. When considering whether or not to make a referral to the Children's Reporter, Education staff must not take into consideration whether they believe there is sufficient evidence for grounds for referral to be established. Considerations relating to the sufficiency of evidence and standard of proof are exclusively a matter for the Reporter. Staff must refer children who they assess may be in need of compulsory measures of supervision.

4. PROCEDURE FOR REFERRAL TO THE REPORTER AND PROVISION OF RELEVANT INFORMATION

4.1. There are different statutory provisions relating to referral of a child to the Reporter. The law recognises 3 distinct providers of such information viz:-

- the Local Authority
- the Police
- any other person

- 4.2. It is essential that sufficient information is supplied to the Reporter at the time the referral is made to enable the Reporter to make a speedy and informed assessment of the situation.
- 4.3. Education may find it helpful to consult with Social Work and the Reporter prior to making a referral.
- 4.4. Education and partner agencies should issue clear guidance about referral procedures to their respective staff and, where relevant, to outside agencies.
- 4.5. To ensure prompt attention, referrals should be made as and when they arise rather than in periodic batches.
- 4.6. The referral should be signed and dated by the author.

5. INFORMATION TO ACCOMPANY REFERRALS

5.1. Factual Background Information

All referrals to the Reporter must contain –

- Full name, address (present and usual home address), and date of birth of the child/children being referred.
- Any special requirements of the child or family e.g. religion, disability, ethnic origin, language etc.
- Details of all other children in the household, if relevant, with a clear indication of whether they too are being referred.
- Full names and addresses of parents and marital status, if known.
- Full names and address of any other relevant persons, if known.
- Full names of adult members of household, if known.
- A clear indication of whether the child is subject to any orders or legal requirements including details of any restrictions upon contact if known.
- Current whereabouts of child/children/parents if known.
- Whether family previously known and if so a summary of any previous relevant information

5.2. Information relating to the Referral:

- Summarise the reasons for referral to the Reporter.
- Give a factual account of the referral and the names and address of all parties involved e.g. how, when and by whom the incident was discovered.

5.3. Additional Information

- In some cases, the Reporter may decide that additional information is required, which may include further interviewing of witnesses and the securing of actual verbatim statements. In such circumstances, he/she may then request that the Police or Social Work interview identified witnesses or he/she may do so himself/herself. Education staff will not however be asked to obtain further information in this way.

6. REPORTER'S DECISIONS

6.1. Having considered the information received and following further investigation, the Reporter shall make one of the following decisions:-

- that a hearing does not require to be arranged, i.e. that it is not necessary to proceed further with the referral
- to refer the child to the relevant local authority to make arrangements for advice, guidance and assistance
- to refer the child to a hearing

IF FURTHER GUIDANCE IS REQUIRED, PLEASE CONTACT THE RELEVANT AUTHORITY REPORTER.

Agreed between SCRA and ADES, June 2000.

Appendix 3

**SCHEDULE 2 OF THE PROTECTION OF CHILDREN (SCOTLAND)
ACT 2003 - *TO BE ADDED WITH CAVEAT ON COMPLETENESS
ONCE BILL RECEIVES ROYAL ASSENT.***

Appendix 4

REDUCING THE RISK – IMPROVING THE RESPONSE TO SEX OFFENDING

Relevant recommendations

Recommendation 1

The Scottish Executive, with local authorities, should issue guidance to ensure that each local authority has in place personal safety programmes that include addressing the risk from sex offending.

Recommendation 2

Learning and Teaching Scotland and Community Learning Scotland should prepare comprehensive personal safety materials that are specific to Scotland and include material which addresses issues of child sexual abuse and child safety.

Recommendation 3

As an important preventative measure and to assist early identification of and intervention with sexually aggressive behaviour, schools should provide information, education and support to pupils on safe and healthy relationships.

Recommendation 4

Young people looked after by local authorities should receive more targeted support. The Association of Directors of Social Work and the Scottish Institute for Residential Childcare should convene a joint working group to develop a strategy for, and supporting materials on, safe and healthy relationships and assertiveness skills.

Recommendation 5

The strategy for early intervention with young sex offenders and those at risk of sex offending should take account of the needs of those young women who are particularly vulnerable to this group of sex offenders. These young women should also be a priority for more targeted intervention. For those vulnerable young women in a care setting, materials and a programme should be developed which promote healthy relationships and provide information about sexual health.

Recommendation 6

Remedial and more intensive programmes and materials should be developed separately for:

- (i) children and young people looked after by local authorities;
- (ii) children and young people with special educational needs or in special schools;
- (iii) children identified as living with or affected by domestic violence.

Recommendation 35

The Scottish Executive should develop a national strategy for a specialist assessment and intervention service for children and young people who offend or who display sexually aggressive behaviour.

This service should include access to a robust and comprehensive risk and needs assessment and to offence-specific personal change programmes to be available both in the community and in secure and non-secure residential settings. The national

strategy should specify the skills mix of staff which would be required to deliver the service and should set out rigorous standards for training, competence, supervision, continuity of professional development and programme content and evaluation.

Recommendation 36

All children and young people identified as at risk of sex offending or who are displaying sexually aggressive behaviour should have access to an appropriate personal change programme.

Recommendation 37

The Scottish Executive should produce a specialist resource pack following the review for use with sexually aggressive young people. This pack should be piloted in a few centres.

Recommendation 38

Local authorities should examine the interface between children and family services and criminal justice services to ensure that those children and young people who are sexually aggressive or at risk from sex offending get a service determined by their need and not by their point of access to the system.

Recommendation 39

There should be a national programme of training for staff in young offenders institutions and Secure Units who deliver personal change programmes. The programme should build on the proposed universal developments in schools and community education.

Appendix 5

ARRANGEMENTS FOR CHILD PROTECTION IN THE ARMED SERVICES

Armed Services

1. Family life in the armed forces is, by its very nature, different to that in civilian life. The forces control the movement of the family in relation to service commitments, and families often endure long periods of separation, without extended family support. Although it is local authorities who have primary responsibility for the care and protection of children, it is essential for local authorities and other agencies to note these differences and share information with the service authority when a service family becomes the subject of child protection inquiries. Each service has their own welfare organisation, which supports service families. In addition the service authorities provide housing for their families, and due to the frequency with which the families move, it is important that the service authorities are fully aware of any child who is deemed to be at risk within their family.

Forces based in Scotland

2. The service authorities seek to co-operate with statutory agencies and to support service families where child abuse or neglect occurs. The information they hold on any family can help in the assessment and review of such cases. Procedures exist in all the services overseas to register and monitor the protection of children at risk, and the usual rules of confidentiality are observed. In working together the services, service authorities and the local authority social work service need to keep in mind that legislation places the primary responsibility for the care and protection of children on the local authority.

Army

3. The welfare of Army families whose children are considered by a social work service to be at risk is the responsibility of the Army Welfare Service (AWS). The AWS provides a comprehensive and professional confidential welfare support service to all Army personnel and their families through the Soldiers', Sailors' and Airmen's Families Association (SSAFA) Social Workers (SW) and Army Welfare Workers (AWW). Social work services should liaise with one of the three Welfare Support Officers (WSO) who between them provide cover for the whole of Scotland. They respond to the Principal Welfare Support Officer AWS (PWSO AWS) who works together with the SSAFA Senior Social Work Adviser (SSWA) for Scotland in Army Headquarters Scotland. Contact telephone numbers are as follows:

- Army HQ Scotland (Edinburgh) East Scotland (Edinburgh) PWSO AWS 0131 310 2107/2108 WSO AWS 0131 310 2850 SSAFA SSWA 0131 310 2618 AWW AWS 0131 310 2845
- West Scotland and Hebrides (Glasgow) Highlands (Perth northwards), Orkney & Shetland (Inverness) WSO AWS 0141 332 0396 WSO AWS 01463 233132 AWW AWS 0131 310 2845 AWW AWS 01463 233132

Royal Navy

4. All child protection matters within the Royal Navy are handled by the Naval Personal and Family Service (NPFS), the Royal Navy's own social work service. This provides a confidential and professional social work service to all Naval personnel and their families liaising as appropriate with social work services, particularly as required by statute for child protection cases. Child protection involving a member of the Royal Navy should be referred to one of the three civilian Area Officers, listed below, who are in a position to negotiate service action on behalf of Naval families and NPFS should be involved in any case conferences concerning them. All cases abroad are initially handled by the Eastern Area.

East: Area Officer (NPFS)
HMS NELSON
Queen Street
Portsmouth
Hampshire PO1 3HH
Tel: 01705 820932/826774

West: Area Officer (NPFS)
HMS DRAKE
HM Naval Base
Devonport
Plymouth PL2 2BG
Tel: 01752 568611

North: Area Officer (NPFS)
HMS NEPTUNE
Triton House
1-5 Churchill Square
Helensburgh
Argyll and Bute
G84 9HL
Tel: 01436 672798

Royal Marines

5. All welfare matters within the Royal Marines are dealt with by the Royal Marine Welfare Service. This is a non-statutory agency which provides a confidential and professional service to all Royal Marine personnel and their families. The Royal Marine Welfare Service will liaise with the local social work service and will negotiate service action on behalf of families. The Royal Marine Welfare Service should be informed in all cases of child protection involving a member of the Royal Marines.

Scotland
Welfare Officer
RM Condor
Arbroath
Angus
DD11 3SJ
Tel: 01241 872201 Ext. 2015/6

SO3 WFS Welfare Office
HQRM
West Battery
Whale Island
Portsmouth
HANTS PO2 8DX
Tel: 01705 547542

Royal Air Force

6. The Royal Air Force has an independent welfare organisation on each station in an area. Social work is managed as a normal function of command and co-ordinated by each Station's Personnel Officer; the Officer Commanding Personnel Management Squadron (OCPMS) who is supported by a qualified SSAFA Forces Help Social Work Adviser, or, in some cases, a Social Work Assistant. Whenever child protection inquiries concern the family of a serving member of the RAF, the social work service should notify the parent unit, or if this is not known, the nearest RAF unit by contacting the OCPMS or SSAFA Forces Help Adviser. Every RAF unit has an officer appointed to this duty and he or she will be familiar with child protection procedures. If you wish to discuss informally contact the SSAFA Social Work Adviser at RAF Lossiemouth (Tel: 01343 812121 Ext. 7399).

Service families going or returning from overseas

7. Where NPFS are aware of child protection issues within a family who are being considered for overseas service, this will be highlighted during the screening process and action taken to prevent the family's move before any child protection issues have been resolved. It is essential that the local authority social work service exchange information about agencies' involvement with a service family to ensure that no child named on a UK Child Protection Register can be taken abroad, and to make sure that parental support is not removed at a critical time.

8. The Soldiers', Sailors' and Airmen's Families Association (SSAFA) provides, at the request of the Ministry of Defence, a qualified social work and health visiting service for families of all services on overseas stations.

9. Where there is a child protection plan in this country for a child in a service family who are to move overseas, the social work service concerned should notify SSAFA in writing with full documentation, case summary, case conference notes, etc. to:

Assistant Controller (Services Support) SSAFA UK
SSAFA Forces Help
HQ Land Command
Erskine Barracks
Wilton
Salisbury
SP2 0AG
Tel: 01722 438245/438251

10. This information is forwarded to the relevant SSAFA social worker overseas in order that:

- a) the case may be entered on the overseas British Forces Child Protection Register;
- b) the practitioners at the overseas base can be alerted and a case conference arranged; and
- c. appropriate support and supervision are provided to the family.

11. Where there is a statutory involvement (e.g. a supervision requirement), SSAFA will provide regular reports to the local authority concerned. Similarly, when a service family with a child in need of protection returns to the UK, SSAFA will contact the social work service in the local authority area in which they will reside, and ensure that full documentation is provided to assist in the management of the case.

Emergency action regarding service families overseas

12. When it appears that a child is in urgent need of care or control an officer having jurisdiction in relation to the child may order the child to be removed to and detained in a place of safety. If the officer makes an order to transfer the child to the United Kingdom so that care of the child can become the responsibility of the relevant local authority all necessary action will be arranged and agreed beforehand between the responsible agencies concerned.

13. New arrangements for dealing with the emergency protection of children of service families abroad were introduced in the Armed Forces Act 1991. These provide for the officer having jurisdiction in relation to a child to make an order to remove the child or keep him or her in accommodation provided by or on behalf of the person who applied for the order.

Appendix 6

POTENTIAL INDICATORS OF INVOLVEMENT IN SEXUAL EXPLOITATION AND PROSTITUTION

The indicators should not be read as a definitive list and should not be taken, in themselves, as proof of involvement in prostitution or sexual exploitation. They are intended as a guide which would be included in a wider assessment of the young person's circumstances.

These indicators may include:

- physical symptoms (bruising suggestive of either physical or sexual assault);
- prevalence of sexually transmitted infection;
- young person known to be sexually active;
- reports from reliable sources suggesting the likelihood of involvement in prostitution;
- reports that the child has been seen in places known to be used for prostitution;
- evidence of substance misuse;
- leaving home/ care setting in clothing unusual for individual child (inappropriate for age, borrowing clothing from older young people);
- reportedly consorting with unknown adults outside the usual range of contacts and/or other children known to be involved in sexual exploitation;
- phone calls or letters from adults outside the usual range of social contacts;
- adults loitering outside the child's usual place of residence;
- significantly older 'boyfriend';
- accounts of social activities with no plausible explanation of the source of necessary funding;
- persistently missing or returning late with no plausible explanation;
- returning after having been missing, looking well cared for in spite of having no known base;
- missing for long periods with no known base;
- possession of large amounts of money with no plausible explanation;
- acquisition of expensive clothes or other possessions without plausible explanation;
- low self image;
- history of physical, sexual, emotional abuse and neglect;
- truancy;
- entering or leaving vehicles driven by unknown adults;

- going missing and found in areas where the child or young person has no known links;
- possible inappropriate use of the Internet and the forming of relationships, particularly with adults, via the Internet.

Appendix 7

'FORCED MARRIAGES ABROAD - YOUR RIGHT TO CHOOSE' GUIDANCE ISSUED BY THE FOREIGN AND COMMONWEALTH OFFICE

Are you worried about being forced into a marriage abroad? *A marriage should be entered into with the free and full consent of both parties.*

A small number of young people find themselves being forced into marriage by their families when they go abroad.

You have the right to legal protection. If someone is forcing you into a marriage they may be in breach of the law in the UK and other countries. In order to protect yourself think carefully before you decide to go.

If you do go, before leaving you should:

- Contact the Community Liaison Unit at the FCO (Tel: 020 7008 0230 or E-mail: clu@fco.gov.uk). *Any information you give us will be treated confidentially.*
- Fill in and detach the card at the end of the FCO leaflet 'Forced Marriages Abroad'. Keep it in a safe place and take it with you when you travel. (The leaflet can be obtained on request from the Community Liaison Unit.)
- *It would be really helpful if you can leave the following details with the Unit:*
- Your name as shown on your passport.
- Your passport number, date and place of issue.
- Your date of birth.
- A recent photograph of yourself.
- Your parents' names.
- Your address and telephone number in the UK.
- Address and telephone number in the country you are visiting.
- Names and addresses of other relatives you might be visiting abroad.
- The date you are expecting to return to the UK.
- Details of a trusted and reliable friend or relative in the UK.

Make sure you take with you:

- The address and contact numbers of the British Embassy, High Commission or Consulate in the country you are visiting.
- Some money in case you need to make telephone calls or for transport.

When you are abroad:

If you fear you are going to be forced into a marriage contact the nearest British High Commission/Embassy who:

- Will try to help you get back to the UK.
- Can issue emergency passports.
- Will try to provide safe accommodation and transport in the country you are in.

What you will need to do:

- You/or a friend will need to provide money for your ticket home. We can, in exceptional circumstances, give you a loan to get back to the UK. You will need to repay this when you get back.
- You will need your passport details.
- You may need to get to the nearest British High Commission/Embassy.

If you cannot get to the High Commission/Embassy we will still try to do everything possible to help.

Dual Nationality.

Dual Nationality means being the national of more than one country. You may be a dual national if one of your parents holds the nationality of another country. This may limit what we can do.

But we aim to provide protection for all British passport holders habitually resident in the UK, regardless of whether or not they are dual nationals.

For further information and a leaflet please contact:

Community Liaison Unit,
G55 Foreign & Commonwealth Office,
Old Admiralty Building,
London
SW1A 2PA.
Tel: 020 7008 0230/0109
E-mail: clu@fco.gov.uk .

Appendix 8

Sample Pupil Statement of Confidentiality

- If you have something important to talk to staff about
- If you are worried about something that is happening to you, or to someone you know
- If you need help, or if you need to know how to get help

the staff are here to listen and to help – they will try to do what they can.

- If you are worried about telling things in confidence

tell the staff – they will understand. If they are concerned about your safety they may need to share this with others, but they will always tell you first.

- If you are still unsure about talking to a member of staff, you can telephone ChildLine on 0800 1111; the call is free and will not show up on a telephone bill. Childline will help you work out what to do next.

[Other local helplines eg for a children's rights officer can be included if wished.]

Appendix 9

Checklist for responding when a child discloses abuse⁷

1. Only ask enough questions to gain basic information.
2. Take the allegation seriously and support – do not interrogate!
3. Use open ended questions. (O)
4. Do **not** use leading questions (L)

Examples of questioning

When	When did it happen? Did it happen last night?	O L
Where	Where did it happen? Did he/she come into your bedroom?	O L
Who	Who did it? Was it Daddy / Peter / the babysitter?	O L
What	What happened? Did such and such happen?	O L
How Why	Avoid if possible. These questions require a judgement by the child and may also induce self recrimination.	

5. Remember:

- keep the questions open ended
- do not prompt or suggest to obtain the answer you think you want to hear
- record, sign and date disclosure or concern on the same day
- if producing the record by computer – print paper copy and sign and date. Do not save copy to hard disk

⁷ This material is drawn from the City of Edinburgh and the Lothians Child Protection Guidelines published November 2002, and included with their permission

Appendix 10

Principles and Aims of Sex Education

Principles

Sex education could be defined as a lifelong process whereby children and young people acquire knowledge, understanding and skills, and develop beliefs, attitudes and values about their sexuality and relationships within a moral and ethical framework.

The Working Group considers that the key principles are that:

- sex education should be viewed as one element of health education, set within the wider context of health promotion and the health promoting ethos of the school;
- sex education should contribute to the physical, emotional, moral and spiritual development of all young people within the context of today's society;
- education about sexuality and relationships should reflect the cultural, ethnic and religious influences within the home, the school and the community;
- sex education should be non-discriminatory and sensitive to the diverse backgrounds and needs of all young people;
- sex education starts informally at an early stage with parents and carers, and continues through to adulthood both within the home and at all stages of school life.

Aims

Similarly the key aims of sex education are to:

- provide accurate and relevant information about the physical and emotional changes that children and young people will experience throughout their formative years and into adulthood;
- establish an awareness of the importance of stable family life and relationships, including the responsibilities of parenthood and marriage;
- provide opportunities for children and young people to develop personal and interpersonal skills that will enable them to make and maintain appropriate relationships within the family, with friends and within the wider community;
- enable children and young people to develop and reflect upon their beliefs, attitudes and values in relation to themselves and others within a moral, ethical and multi cultural framework;
- foster self awareness and self esteem and a sense of responsibility and respect for themselves and for others;
- provide opportunities for young people to consider and reflect upon the range of attitudes to gender, sexuality and sexual orientation, relationships and family life;
- develop an appreciation of, and respect for, diversity and of the need to avoid prejudice and discrimination;
- provide information about and skills to access, where appropriate, agencies and service providing support and advice to young people.

Further Reading

Blueprint for the Processing of Children's Hearing Cases', Inter-agency Code of Practice and National Standards, Second Edition 2001, Scottish Executive publication, January 2001

Caring for Scotland's Children: Guidance for Residential Workers Caring for Young People who have been sexually abused or those who Abuse Others -*Centre for Residential Child Care*

Click Thinking – Personal Safety on the Internet. *Scottish Executive 1999*

A commitment to protect - SOEID 1997

Disclosure Scotland Code of Conduct (Making Scotland Safer) *Scottish Executive 2002*

Education Contacts for Children and Families (2003) *National Association of Teachers of Travellers* (contacts booklet)

Who Cares? Scotland (undated) Feeling Safe? Report, Who Cares Scotland, <http://www.whocarescotland.net/Shared%20Folders/Feeling%20Safe%20Report/ReportAllFrames.htm>

Food Shelter and Half a Chance – Assessing the needs of unaccompanied asylum seeking and refugee children –Selam Kidane. *BAAF 200*

Guidelines on Child Protection prepared for the independent schools in Scotland (2nd Edition) –Kathleen Marshall BA (Hons) LLB –*SCIS 1997*

Guide for EAs and Schools in Scotland - the duty to promote race equality (Dec. 2002) *CRE Scotland*

Guide for Teachers and Managers: Health Education 5-14 *LT Scotland 2000*

Health Education in Scottish Schools: Meeting Special Educational Needs *The Scottish Office 1994*

The Health Education for Living Project (HELP) *SOEID and Strathclyde Region 1995* Health Education 5-14 National Guidelines *LT Scotland , revised 2000*

Helping Hands – Guidelines for Staff who provide Intimate Care for Children and Young People with Disabilities. *Scottish Office 1999*

How good is our school? (second edition) - *HMIE 2002*

Improving the care and welfare of residential pupils - SOEID 1998

Inclusive Educational Approaches for Gypsies and Travellers within the context of interrupted learning - produced by the Scottish Executive and the Scottish Traveller

Education Programme (STEP), published January 2003 by Learning & Teaching Scotland (LTS).

Parent Checklist for Youth Activities – *Scottish Executive 2002*

Personal Relationships and Developing Sexuality *University of Strathclyde 1994*

Personal and Social Development: 5-14 National Guidelines *Scottish CCC 1993*

Personal and Social Development: 5-14 National Guidelines – Exemplification, *Scottish CCC 1995*

Promoting personal safety and child protection in the curriculum- Mellor, Phillips, Walker & Munn. *Scottish Office 1998*

Protecting Children – A Shared Responsibility – Guidance on Inter-Agency Co-operation. *Scottish Office 1998*

The Protection of Young People in the Context of International Visits – Guidelines for Organisers – *Revised Edition 2002 City of Edinburgh Council Education Department, Publications Unit.*

Report of the Working Group on Sex Education in Scottish Schools – *Scottish Executive 2000*

A route to equality and fairness - *HMIE 1999*

Schooling with care? Developing provision for children and young people presenting social, emotional and behavioural difficulties - *SOED 1994*

The Scottish Translation, Interpreting and Communication Forum – Good Practice Guidelines – *Scottish Executive 2002*

Sex Education in Scottish Schools: Summary of National Advice – *Scottish Executive 2001*

Sex Education in Scottish Schools: Effective Consultation with Parents and Carers – *Scottish Executive 2001*

Sexual Health and Relationships Education (SHARE) *HEBS 2001*

Sharing good practice: Prevention and support concerning pupils presenting social, emotional and behavioural difficulties - *SOEID 1997*

Superhighway Safety: Schools: Information Pack *Becta*