

St Caolan's Primary School

Safeguarding and Child Protection Policy

Edited August 2021

Ratified September 2021

Review September 2020

Overview

St Caolan's Primary School recognises that it has a safeguarding responsibility towards the children in our charge. This Policy aims to assist the School Board of Governors and all school staff in fulfilling their responsibilities regarding their safeguarding and child protection role, in order to promote clarity and consistency of approach in our school. The full Safeguarding Child Protection Policy is available in hard copy from the school office, a Parental Summary is shared with the parents at the beginning of each academic year, and safeguarding strategies are taught to our children so that they know what to do and who to go to whenever they need help. The Safeguarding Child Protection Policy reflects the values to which our school community is committed and how the school is fulfilling its statutory responsibilities in safeguarding children.

MISSION STATEMENT

St Caolan's Primary School is a learning community that enriches the lives of all those who learn and work here.

It is a place where the needs and aspirations of children and staff are central to decision making.

We focus on spiritual growth, academic excellence, the holistic development and preparation of our pupils with the support of its staff, governors, parents and carers, to lead fulfilling and purposeful lives and contribute to the common good.

AIMS

We the Governors and Staff of St Caolan's Primary School believe the school to be a vital part of the Catholic Community. We are firmly committed to: -

- The aims of Catholic Education
- Providing effective Education for all children in a safe, caring and supportive environment
- Developing positive pastoral care systems in our school which emphasise and focus on the developing needs of pupils, staff and parents
- Establishing close links with the home, the parish and the wider community

Central to our aims is the recognition of the dignity and worth of each child, the fostering of Catholic values and the promotion of mutual understanding and respect for others.

We seek to establish a learning community in which all pupils staff and parents recognise that they are valued members who each have an important role to play in the safety, success and enrichment of that community.

Key Principles of Safeguarding and Child Protection

The following principles will underpin all strategies, policies, procedures, practice and services relating to safeguarding children in St Caolan's Primary School.

The child or young person's welfare is paramount

The welfare of the child is the paramount consideration for the courts and in childcare practice.

The voice of the child or young person should be heard

Children and young people have a right to be heard, to be listened to and to be taken seriously, taking account of their age and understanding. They should be consulted and involved in all matters and decisions which may affect their lives and be provided with appropriate support to do so where that is required.

Parents are supported to exercise parental responsibility and families helped to stay together –

Parents have responsibility for their children rather than rights over them.

Partnership

Safeguarding is a shared responsibility and the most effective way of ensuring that a child's needs are met is through working in partnership.

Prevention - The importance of preventing problems occurring or worsening through the introduction of timely supportive measures.

Responses should be proportionate to the circumstances

Where a child's needs can be met through the provision of support services, these should be provided.

Protection

Children should be safe from harm and in circumstances where a parent or carer is not meeting their needs, they should be protected by the State.

Evidence-based and informed decision making

Decisions and actions taken must be considered, well informed and based on outcomes that are sensitive to, and take account of, the child or young person's specific circumstances, risks to which they are exposed, and their assessed needs.

Legal and Policy Context

A range of legal documents, circulars and guidance for good practice governs the Safeguarding and Child Protection work at St Caolan's Primary School. The key documents which inform this policy are:

The United Nations Convention on the Rights of the Child

The United Kingdom agreed to be bound by the Convention in 1991. It sets out the rights which all children and young people up to the age of 18 should have.

As a listening and a pupil-centred school, our School Aims and Code of Conduct underpin the rationale expressed and enshrined in the United Nations Convention on the Rights of the Child 1991. The most important tenets of that Convention are:

“children have the right to be protected from all forms of violence; they must be kept safe from harm; and they must be given proper care by those looking after them. When adults or organisations make decisions which affect children, they must always think first about what would be best for the child.”

The Children (Northern Ireland) Order 1995

The Children (Northern Ireland) Order 1995 is the principal statute governing the care, upbringing and protection of children in Northern Ireland. It applies to all those who work with and care for children, whether parents, paid carers or volunteers. It is the most comprehensive and far reaching child care legislation ever introduced to Northern Ireland. It clearly identifies five key principles which are Paramountcy, Prevention, Protection, Partnership and Parental Responsibility with the welfare of the child considered as being of paramount importance.

Every child or young person has the fundamental right to be safe and have the proper care afforded them.

The Education and Libraries (Northern Ireland) Order 2003

Articles 17, 18 and 19 of the Education and Libraries (Northern Ireland) Order 2003 place a statutory duty on Board of Governors to safeguard and promote the welfare of their pupils and to determine the measures to be taken at St Caolan's Primary School with a view to protecting pupils from abuse (whether at school or elsewhere). Article 18(d) requires the Board of Governors to prepare a written statement of such measures (A Child Protection Policy) and to provide this to parents. The Board of Governors must also have regard to any guidance given by the Department, the EA, the former Department of Health, Social Services and Public

Safety (DHSSPS) (Department of Health (DoH) from 9 May 2016), SBNI and the relevant Employing Authority.

Sexual Offences (Northern Ireland) Order 2008

This legislation reduced the age of consent in NI (in line with other areas of the UK), and strengthened the legal safeguards for young people between the ages of 16 and 17. Significantly, it introduced the concepts of grooming (including online behaviours), and 'Abuse of a Position of Trust'.

Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 as amended by the Protection of Freedoms Act 2012 provides the legislative framework for the establishment of a Disclosure and Barring Service and requirements relating to individuals who work with children and vulnerable adults. This legislation, brought in to address concerns around the plethora of criminal justice legislation in recent years, defines 'regulated activity' with children and prevents persons on barred lists from engaging in regulated activity.

The Safeguarding Board (Northern Ireland) Act 2011

This Act established the SBNI and places interagency co-operation on a statutory footing. The objective of the SBNI is to safeguard and promote the welfare of children and young people in Northern Ireland by co-ordinating and ensuring the effectiveness of what is done by each person or body represented on the board. The SBNI is also responsible for development of regional policies and procedures for safeguarding and promoting the welfare of children.

The Public Services Ombudsman Act (NI) 2016

The Public Services Ombudsman Act (NI) 2016 gives a power to investigate education authorities in respect of complaints made by a member of the public (came into effect on 1 April 2016). The power to investigate will extend to Board of Governors of grant-maintained schools from 1 April 2017. This process of complaint must be

The power to investigate will extend to BoG of grant-maintained schools from 1 April 2017. This process of complaint must be referred to in the complaints policy.

The Addressing Bullying in Schools Act (NI) 2016

The new provisions introduced by this Act have not yet been brought into operation.

Section 2 of the Act will require that the Board of Governors of St Caolan's Primary School determines the anti-bullying measures pursued at the school, ensure these are properly implemented and are reviewed at intervals of no more than four years.

Section 3 of the Act will place a statutory duty on the Board of Governors of St Caolan's Primary School to ensure that a record is kept of all incidents of bullying behaviours or alleged bullying behaviours involving a registered pupil at the school that occur:

a. on the premises of the school during the school day;

- b. while travelling to or from the school during the school term;
- c. while the pupil is in the lawful control or charge of a member of the staff of the school; or
- d. while the pupil is receiving educational provision arranged on behalf of the school and provided elsewhere than on the premises of the school.

Government Policies and Strategies

Co-operating to Safeguard Children and Young People in Northern Ireland (August 2017)

This policy replaces the 'Co-operating to Safeguard Children guidance issued in 2003 and provides the overarching policy framework for safeguarding children and young people in the statutory, private, independent, community, voluntary and faith sectors. It outlines how communities, organisations and individuals must work both individually and in partnership to ensure children and young people are safeguarded as effectively as possible.

Domestic and Sexual Violence and Abuse Strategy 2013-2020 and subsequent action plans

This Strategy highlights an overarching strategic vision for addressing domestic and sexual violence and abuse. The DoH and the Department of Justice (DoJ) are the strategic lead departments in taking forward both the domestic violence and abuse and sexual violence and abuse agendas through improved effective, collaborative and cohesive engagement within and across Northern Ireland.

DE circular 2016/27 – Online Safety

DE circular 2016/26 – 'Effective Educational Uses of Mobile Digital

Circular 2016/20 Child Protection Record Keeping in Schools

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Circular 2015/13 "Dealing with Allegations of Abuse Against a Member of Staff"

Circular 2008/03 Child Protection: Pre-Employment Checking of Persons to Work in Schools - New Arrangements

Circular 2006/09 Child protection: Criminal background checking of staff in schools-programme to extend coverage

Circular 2006/08 Child protection: Training requirements for School Governors on staff recruitment and selection panels

Circular 2006/07 Child protection: Employment of substitute teachers

Circular 2006/06 Child protection: Recruitment of people to work with children and young people in educational settings

Circular 2006/06a Appendix A: Checks on applicants from abroad

Circular 2003/13 Welfare and protection of pupils: Education and Libraries (Northern Ireland) Order 2003

Circular 1999/10 Pastoral care in schools: Child protection

Circular 1999/17 Parental responsibility: Guidance for schools

Managing Safeguarding and Child Protection in St Caolan's Primary School

All staff in St Caolan's Primary School, both teaching and non-teaching, will have a responsibility to ensure the protection and welfare of children is paramount. This also extends to any volunteers accepted to work in the school during school hours when pupils are on the premises.

Responsibilities of Board of Governors

The Education and Libraries (Northern Ireland) Order 2003 places a statutory duty on the Board of Governors to:

- Safeguard and promote the welfare of pupils.
- Have a written child protection policy.
- Specifically address the prevention of bullying in school behaviour management policies.

The Addressing Bullying in Schools Act (NI) 2016, places a statutory duty on Board of Governors to keep a record of all incidents of bullying or alleged bullying involving a registered pupil at the school.

To fulfil their responsibilities Board of Governors are obligated to acknowledge and work within the relevant guidance and procedural documents that have been produced by the Department of Education (DE) and DoH.

All Governors will receive an element of safeguarding training as part of their induction with the Chair, Mr Val Mc Murray and Designated Governor for Child Protection, Mr Liam Murray undertaking full CPSS training. All Governors will undertake refresher Child Protection training every term of office (four years). This training may be delivered by the Principal, Mrs Cassidy or Designated, Teacher Mr Mc Veigh using resources available from the EA CPSS.

The Board of Governors will ensure that:

- A Designated Governor for Child Protection is appointed. **Mr Liam Murray**
- A DT and DDT are appointed in St Caolan's Primary school. **Mr Sean Mc Veigh and Mrs Marie Cassidy**
- They have a full understanding of the roles of the DT and DDTs for Child Protection.

- Safeguarding and child protection training, information and guidance is given to all staff (during one Baker Day at the beginning of each academic year) and governors (at the first Board of Governors meeting of each academic year).
- The school has a Safeguarding Child Protection Policy which is reviewed annually, and parents and pupils receive a copy of the child protection policy and complaints procedure at the beginning of each academic year.
- The school has an Anti-Bullying Policy which is reviewed at intervals of no more than four years and maintains a record of all incidents of bullying or alleged bullying.
- The school ensures that other safeguarding policies are reviewed at least every three years.
- There is an agreed code of conduct for all adults working in the school.
- All school staff and volunteers are recruited and vetted, in line with DE Circular 2012/19.
- They receive a termly report of child protection activities. This report will include details of the preventative curriculum and any initiatives or awareness raising undertaken within the school, including training for staff.
- The school maintains child protection records in line with DE Circulars 2015/13 Dealing with Allegations of Abuse Against a Member of Staff and 2016/20 Child Protection: Record Keeping in Schools:
 1. Safeguarding and child protection concerns.
 2. Disclosures of abuse.
 3. Allegations against staff and actions taken to investigate and deal with outcomes.
 4. Staff induction and training.

The School Safeguarding Team comprises of

Chair of Governors Mr Val Mc Murray
Designated Governor for Child Protection Mr Liam Murray
Designated Teacher Mr Sean Mc Veigh
Deputy Designated Teacher Mrs Marie Cassidy

The Role and Responsibility of the Safeguarding Team

- Undertake the monitoring and periodic review of Safeguarding and Child Protection arrangements in the school.
- Support for the Designated Teacher, Mr Sean Mc Veigh, in the exercise of his child protection responsibilities, including recognition of the administrative and emotional demands of the post.
- Ensure attendance of Governors and staff at relevant training including refresher training in keeping with legislative and best practice requirements.

- The Safeguarding Team will review their child protection and safeguarding practices annually using the Education and Training Inspectorate (ETI) pro-forma entitled 'Guidance for the evaluation of child protection/ safeguarding'. ETI

The Role and Responsibility of Chair of Board of Governors

In the event of a safeguarding and child protection complaint being made against the Principal, Mrs Cassidy, it is the Chairperson, **Mr Val Mc Murray**, who will assume lead responsibility for managing the complaint/allegation in keeping with guidance issued by the Department, CCMS, the employing authority, and the school's own policies and procedures.

The Chairperson, Mr Val Mc Murray is responsible for ensuring child protection records are kept and for signing and dating the Record of Child Abuse Complaints annually, even if there have been no entries.

The Role and Responsibility of Designated Governor for Child Protection

The Board of Governors has delegated, **Mr Liam Murray**, to take the lead in safeguarding and child protection issues in order to be able to advise the governors on:

- The role of the DTs;
- The content of child protection policies;
- The content of a code of conduct for adults within the school;
- The content of the termly updates and full Annual Designated Teachers Report;
- Recruitment, selection and vetting of staff.

School Principal

Mrs Cassidy, the Principal, as the Secretary to the Board of Governors will assist the Board of Governors to fulfil its safeguarding and child protection duties, keeping them informed of any changes to guidance, procedure or legislation relating to safeguarding and child protection, ensuring any circulars and guidance from DE are shared promptly, and termly inclusion of child protection activities on the Board of Governor meeting agenda. In addition, the Principal takes the lead in managing child protection concerns relating to staff.

The Principal has delegated responsibility for establishing and managing the safeguarding and child protection systems within the school. This includes the appointment and management of suitable staff to the key roles of DT and DDT Designated Teacher posts and ensuring that new staff and volunteers have safeguarding and child protection awareness sessions as part of an induction programme.

The Principal will ensure that parents and pupils receive a copy, or summary, of the Child Protection Policy at intake and, at the beginning of each academic year.

Designated Teacher for Child Protection – Mr Sean Mc Veigh

- Is responsible for
- The induction and training of all school staff including support staff.
- Being available to discuss safeguarding or child protection concerns of any member of staff.
- The record keeping of all child protection concerns.
- Maintaining a current awareness of early intervention supports and other local services
- Making referrals to Social Services or PSNI where appropriate.
- Liaising with the EA Designated Officers for Child Protection.
- Keeping the school Principal informed.
- Lead responsibility for the development of the school's child protection policy.
- Promotion of a safeguarding and child protection ethos in the school.
- Compiling written reports to the Board of Governors regarding child protection.

Deputy Designated Teacher for Child Protection Mrs Marie Cassidy

The role of the DDT is to work co-operatively with the DT in fulfilling her responsibilities.

Recruitment and Vetting of Staff and Volunteers

St Caolan's Primary School will ensure that all persons on school property are supervised and vetted as appropriate. The Board of Governors will ensure that there is an official record kept of when vetting checks are successfully completed for all staff and that all paid teaching and non-teaching staff will have an Enhanced Disclosure Certificate (EDC) from Access NI before taking up post. The Board of Governors will ensure volunteers working in St Caolan's Primary School do so under supervision, therefore **do not require** an EDC.

Visitors will be

- Met/directed by school staff/representatives.
- Signed in and out of the school by school staff.
- If appropriate, be given restricted access to only specific areas of the school.
- Where appropriate, escorted by a member of staff/representative.
- Clearly identified with visitor/contractor passes.
- Access to pupils restricted to the purpose of their visit.

- If delivering goods or carrying out building/maintenance or repair tasks their work should be cordoned off from pupils for health and safety reasons.

Pupils on Work Experience

Pupils coming into St Caolan's Primary School on work experience do not require Access NI clearance as they will **be fully supervised** by paid school staff. The normal child protection induction processes will apply.

Child Protection Training School Governors

The Board of Governors of St Caolan's Primary School will follow the Child Protection Training requirements for school governors which has three specific strands:

Initial Child Protection Awareness Training as part of the induction programme for all new governors. Led by Mrs Cassidy using CPSS resources.

Child Protection Training from the CPSS for Chairperson and Designated Governor for Child Protection in order that they can assist the full Board of Governors with their child protection governance. This should be completed during each term of office (every four years).

Training on recruitment, selection and vetting which incorporates child protection legislation and DE guidance for all governors who will be sitting on interview or teacher appointments panels from the CPSS.

Designated Teacher Training/Deputy Designated Teacher Training

DTs and DDTs will attend refresher training every 3 years. The certificate of attendance issued to DTs and DDTs as proof of attendance will be displayed in the school office and made available for ETI during any inspection.

The DT and DDT will cascade child protection training to the whole school, at the beginning of each school year, with new staff receiving training as part of their induction programme. All staff will be given advice on how to identify the signs and symptoms of possible abuse and be aware of the relevant child protection procedures and when to inform the Designated Teacher about any concerns they may have.

Conduct of Staff

The protection and promotion of the welfare of children and young people are a responsibility for all members of staff, teaching and non-teaching. In meeting this, staff will work towards a culture of mutual trust and respect in school, through which the best interests of the children entrusted to their care is paramount. St Caolan's Primary School operates Codes of Conduct which extends to staff, both teaching and non-teaching, and volunteers. Annex A

Parents

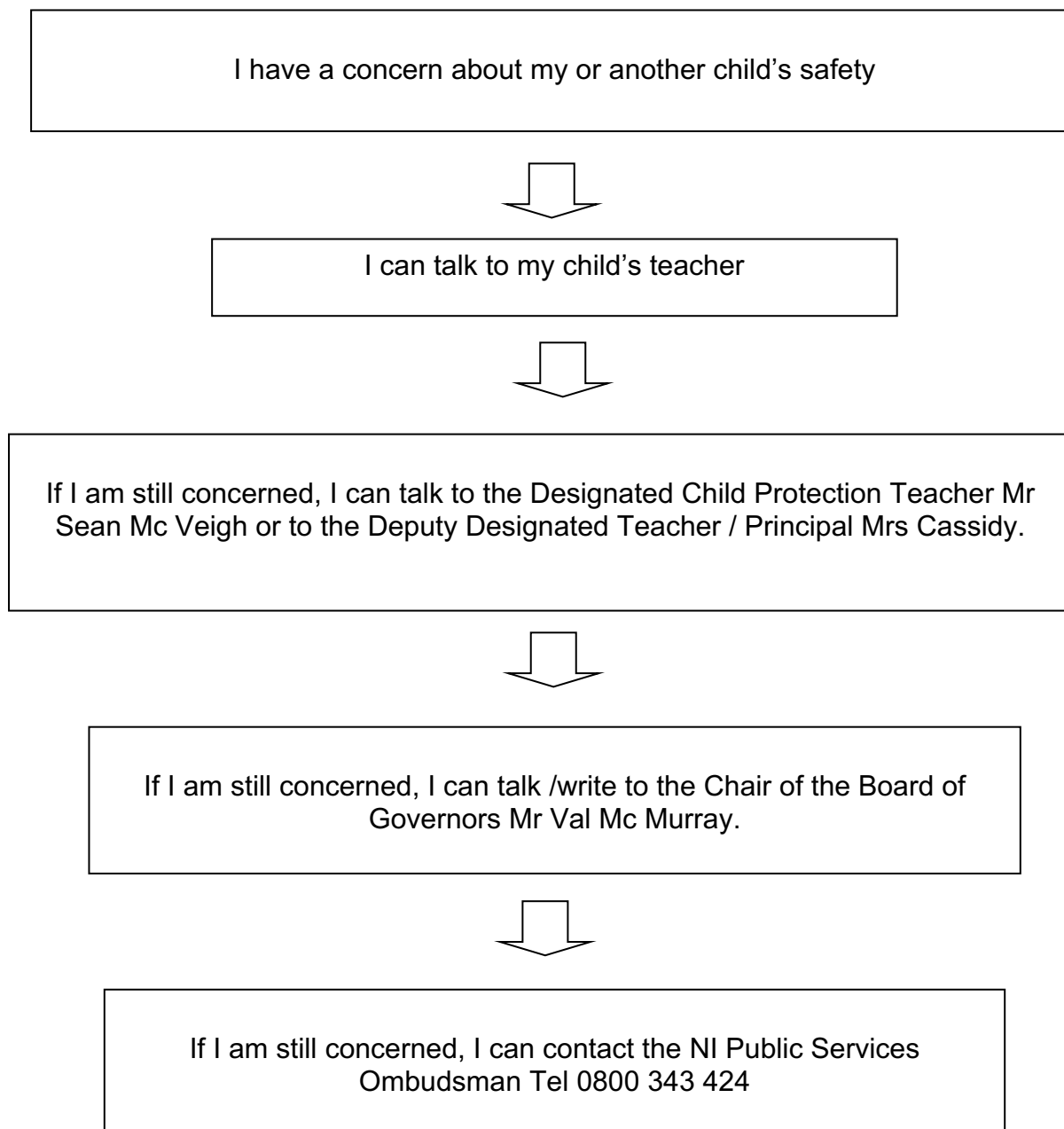
St Caolan's Primary School acknowledges that the primary responsibility for safeguarding and protection of children rests with parents who should feel confident about raising any concerns they have in relation to their child.

A summary of Parent Policies including Pastoral Care, Safe Guarding and Child Protection, Intimate Care, Anti-bullying, Positive Behaviour, E- Safety, and Raising a Concern and Health and Safety will be issued to parents/carers at intake and at the beginning of each academic year. Parents are informed of how to access the full policies, including a hard copy if required from the school office.

Parents have been advised inform the school:

- If their child has a medical condition or educational need
- If there are any Court Orders relating to the safety or wellbeing of a parent or child.
- If there is any change in a child's circumstances for example - change of address, change of contact details, change of name, change of parental responsibility.
- if there are any changes to arrangements about who brings their child to and from school.
- if their child is absent and send in a note on the child's return to school.
- Parents have been informed how to raise any concerns they may have about the safety of their (or another), including how to contact the school, the class teacher, the DT for Child Protection, or the Principal if they are worried about a safeguarding or child protection concern.

If a parent has a potential child protection concern within St Caolan's Primary School



At any time, I can talk to the local Children's Services Gateway Team or PSNI Central Referral Unit (028 90259299)

Dealing with Child Protection Concerns

The Board of Governors of St Caolan's Primary School and all staff teaching and non-teaching including volunteers are to make themselves fully aware of what constitutes Child Abuse. The following is a summary of advice which is fully detailed in the document Safeguarding and Child Protection in Schools (All Governors and Staff have received a copy with a reference hard copy available in the School Office).

What is Child Abuse?

Child abuse can manifest in several ways and can involve a combination of the forms of abuse. Those working with children and young people must have an awareness and understanding of the nature and prevalence of different manifestations within their practice area.

It is always preferable **to prevent** abuse, or for intervention to take place at the earliest possible stage. Through their day-to-day contact with individual children, school staff, especially teachers, but also non-teaching staff, are particularly well placed to observe outward symptoms, change in appearance, behaviour, learning pattern or development.

A child in need of protection is a child who is at risk of, or likely to suffer significant harm which can be attributed to a person or persons or organisation, either by an act of commission or omission; or a child who has suffered or is suffering significant harm.

'Harm' means ill treatment or the impairment of health or development.

Staff should be alert to all types of abuse including reporting of offences. Observation of signs and symptoms of possible abuse can do no more than give rise to concern - they are not in themselves proof that abuse has occurred. It must always be remembered that alternative medical, psychological or social explanations may exist for the signs and symptoms of possible abuse.

However, teachers and other staff should be aware of the possible implications of, and alert to, all such signs, particularly if they appear in combination or are repeated regularly.

Where a member of staff is concerned that abuse may have occurred, **he/she must report this immediately to the Designated Teacher Mr Mc Veigh or in his absence Mrs Cassidy.**

Types of Abuse

Child abuse may take a number of forms, including:

Neglect is the failure to provide for a child's basic needs, whether it be adequate food, clothing, hygiene, supervision or shelter that is likely to result in the serious impairment of a child's health or development. Children who are neglected often also suffer from other types of abuse.

Physical Abuse is deliberately physically hurting a child. It might take a variety of different forms, including hitting, biting, pinching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child.

Sexual Abuse occurs when others use and exploit children sexually for their own gratification or gain or the gratification of others. Sexual abuse may involve physical contact, including assault by penetration (for example, rape, or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via e-technology). Sexual abuse is not solely perpetrated by adult males. Women can commit acts of sexual abuse, as can other children.

Emotional Abuse is the persistent emotional maltreatment of a child. It is also sometimes called psychological abuse and it can have severe and persistent adverse effects on a child's emotional development. Emotional abuse may involve deliberately telling a child that they are worthless, or unloved and inadequate. It may include not giving child opportunities to express their views, deliberately silencing them, or 'making fun' of what they say or how they communicate. Emotional abuse may involve bullying - including online bullying through social networks, online games or mobile phones - by a child's peers.

Exploitation is the intentional ill-treatment, manipulation or abuse of power and control over a child or young person; to take selfish or unfair advantage of a child or young person or situation, for personal gain. It may manifest itself in many forms such as child labour, slavery, servitude, engagement in criminal activity, begging, benefit or other financial fraud or child trafficking. It extends to the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation. Exploitation can be sexual in nature.

Talking to Children where there are Concerns about Possible Abuse

Where teachers see signs which cause them concern, they should, as a first step, seek some clarification from the child with tact and understanding.

Where a classroom assistant or another member of the school's non-teaching staff sees such signs, he/ she should immediately bring them to the attention of either the class teacher or the Designated Teacher, **Teacher Mr Sean Mc Veigh or in his absence Mrs Cassidy**, and it may be appropriate for the necessary clarification to be carried out by the teacher.

Such clarification may reassure teachers that abuse has not occurred; but signs and symptoms which cause concern, while perhaps not a result of abuse, may nevertheless indicate that the child or his/her family is in need of intervention by statutory, voluntary or community based services.

Teaching, Non-Teaching and Volunteers to follow this direction

Staff should be aware that **the way in which they talk** to a child can influence the evidence which is put forward if there are subsequent criminal proceedings, and the extent of questioning should, therefore, be kept to a **minimum**:

Staff should **not** ask the child leading questions, as this can later be interpreted as putting ideas into the child's mind.

Staff should not, therefore, ask questions which impose the adult's own assumptions. For example, staff should say, "Can you tell me what has happened", rather than, "Did they do X to you?"

The priority at this stage is to actively listen to the child, and not to interrupt or try to interpret if he/she is freely recalling significant events (*the child must not be asked to unnecessarily recount the experience of abuse*) and as soon as possible afterwards to make a record of the discussion. This should be passed on to the Designated Teacher, using 'Note of Concern' from the DE 'Child Protection: Record Keeping in Schools' circular 2016/20. The note should record the time, date, place and people who were present, as well as what was said. Signs of physical injury observed should be described in detail, but *under no circumstances should a child's clothing be removed, or a photograph taken*.

Any comment by the child, or subsequently by a parent or carer or other adult, about how an injury occurred should be written down as soon as possible afterwards, quoting words actually used.

Staff should **not give the child or young person undertakings of confidentiality**, although they can and should, of course, reassure that information will be disclosed only to those professionals who need to know.

Staff should also be aware that their note of the discussion may need to be used in any subsequent court proceedings. It should be emphasised that lack of proper records will not, of itself, exempt the school from any subsequent requirement to give evidence in court. *It is therefore essential that accurate contemporaneous (i.e. recorded as soon as possible after the event) records are maintained*.

Staff should **not** ask the child to write an account of their disclosure for the record.

Child Displaying Symptoms of, or School alerted to, Possible Abuse

In all cases where symptoms displayed by a child give rise to concerns about possible abuse, or about the welfare of the child, the teacher or other member of staff should report these concerns to the designated teacher.

A parent or other carer may also give information to a member of staff of the school which gives rise to concern about possible child abuse by someone outside the school, or by a person working in the school in a volunteer capacity.

The person making the complaint should be advised of **their responsibility to refer to the local Health and Social Care Trust Gateway Team**, the staff member should also inform the designated teacher responsible for child protection matters in the school who will refer, if necessary, to the appropriate statutory authorities.

In order to form a view on whether a child or children may indeed be being abused, or at risk of possible abuse, the Principal/DT/DDT may need to seek discreet preliminary clarification from the person making the complaint or giving the information, or from others who may have relevant information.

While such clarification will often help to confirm or allay concerns, *it is not the responsibility of teachers and other education staff to carry out investigations into cases of suspected abuse, or to make extensive enquiries of members of the child's family or other carers.* Under Articles 65 and 66 of the Children (NI) Order, this is the statutory responsibility of the investigating agencies, Children's Social Services and/ or Police. Schools should not act beyond that set out in the procedures in this guidance, and those established by the SBNI and employing authorities, to be followed

Dealing with Allegations of Abuse made Against a Member of Staff

Where a complaint about possible abuse is made against a member of staff of the school, the procedures in DE Circular 2015/13 will be followed -

In all decisions the child's welfare is the paramount consideration and the child should be listened to and his/her concerns taken seriously. The possible risk of harm to children posed by a member of staff must be evaluated and managed. In some cases, this may require consideration of suspension as a precautionary measure.

Statutory Responsibilities

The Education and Libraries (Northern Ireland) Order 2003 places a statutory duty on Boards of Governors to safeguard and promote the welfare of pupils. In order to fulfil these responsibilities Governors are obliged to acknowledge and work within the relevant guidance issued by DE and DoH.

Process

Principals and Boards of Governors have a duty of care for the welfare of pupils and any allegation needs to be effectively evaluated and managed. However, as employers, they also have a duty of care to their staff and should ensure they provide effective support for anyone facing an allegation of abuse.

All allegations should be reported immediately, to the Principal Mrs Cassidy, or to the Child Protection Designated Teacher Mr Sean Mc Veigh. If the Principal is the subject of concern the allegation should be reported immediately to the Chair of the Board of Governors, Val Mc Murray, or the Designated Governor for Child Protection Liam Murray.

In the interests of all involved the issue should be dealt with as a priority and unnecessary delays should be avoided. Every effort to maintain confidentiality and guard against unwanted publicity must be made. **Allegations should not be shared** with other staff or children.

All allegations of a child abuse nature **must** be recorded in the hard backed and bound Record of Child Abuse Complaints book, which must be retained securely. A record of this should be placed on the relevant pupil's Child Protection File. St Caolan's Primary School follows DE Circular 2016/20 Child Protection: Record Keeping in Schools.

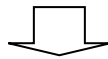
Process for Referral

Responsibility for referral of suspected abuse cases lies with the Designated Teacher. The UNOCINI referral form must be completed whenever staff wish to refer a child or young person to children's social services for support, safeguarding or a fuller assessment of a child's needs.

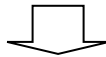
If you are concerned that a child may be suffering, or at risk of suffering, significant harm, then an **urgent** referral to children's social services through the local Gateway Service must be made. When making an urgent referral by telephone, the Duty Social Worker will advise you that you will be required to confirm your referral in writing on a UNOCINI within 24 hours.

Procedure for Referral where St Caolan's Primary School has concerns, or has been given information, about possible abuse by someone other than a member of staff

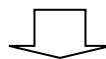
Member of staff completes the Note of Concern on what has been observed or shared and must ACT PROMPTLY. Source of concern is notified that the school will follow up appropriately on the issues raised.



Staff member discusses concerns with the Designated Teacher **Mr Mc Veigh** or Deputy Designated Teacher **Mrs Cassidy** in his absence and provides note of concern.



Designated Teacher should consult with the Principal or other relevant staff before deciding upon action to be taken, always taking care to avoid undue delay. If required, advice should be sought from a CPSS officer.



Child Protection referral is required

Designated Teacher seeks consent of the parent/carer and/or the child (if they are competent to give this) unless this would place the child at risk of significant harm then telephones the Children's Services Gateway Team and/or the PSNI if a child is at immediate risk. He/she submits a completed UNOCINI referral form within 24 hours.

Designated Teacher clarifies/discusses concern with child/parent/carers and decides if a child protection referral is or is not required.

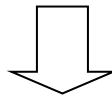
Child Protection referral is not required

School may consider other options including monitoring the situation within an agreed timescale; signposting or referring the child/ parent/carers to appropriate support services such as the Children's Services Gateway Team or local Family Support Hub with parental consent, and child/ young person's consent (where appropriate).

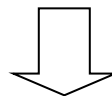
Where appropriate the source of the concern will be informed as to the action taken. The Designated Teacher will maintain a written record of all decisions and actions taken and ensure that this record is appropriately and securely stored.

Dealing with Allegations of Abuse Against a Member of Staff

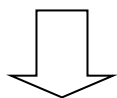
Key Points
Lead individual learns of an allegation against a member of staff and informs the Chair/Vice Chair of Board of Governors as appropriate.



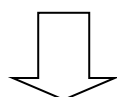
Guidance on the Next Steps
Lead individual then establishes the facts, seeks advice from the key agencies as appropriate, usually through informal discussion.



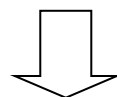
Possible Outcomes
Following on from establishing the facts, seeking advice from Key Agencies and discussion with the Chair and/or BoG to agree a way forward from the options below.



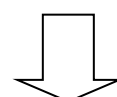
Precautionary suspension is not appropriate and the matter is concluded.



Allegation addressed through relevant disciplinary procedures



Precautionary suspension under Child Protection procedures imposed.



Alternatives to precautionary suspension imposed.

The Board of Governors of St Caolan's Primary School and all staff teaching and non-teaching including volunteers are to make themselves fully aware of the Specific types of abuse. The following is a summary of each type which is fully detailed in the document Safeguarding and Child Protection in Schools (hard copy available School Office)

Specific Types of Abuse

Grooming

Grooming of a child or young person is always abusive and/or exploitative. It often involves perpetrator(s) gaining the trust of the child or young person or, in some cases, the trust of the family, friends or community, and/or making an emotional connection with the victim in order to facilitate abuse before the abuse begins. This may involve providing money, gifts, drugs and/or alcohol or more basic needs such as food, accommodation or clothing to develop the child's/young person's loyalty to and dependence upon the person(s) doing the grooming. The person(s) carrying out the abuse may differ from those involved in grooming which led to it, although this is not always the case.

Grooming is often associated with **Child Sexual Exploitation** but can be a precursor to other forms of abuse. Grooming may occur face to face, online and/or through social media, the latter making it more difficult to detect and identify.

Adults may misuse online settings eg chat rooms, social and gaming environments and other forms of digital communications, to try and establish contact with children and young people or to share information with other perpetrators, which creates a particular problem because this can occur in real time and there is no permanent record of the interaction or discussion held or information shared.

Those working or volunteering with children or young people should be alert to signs that may indicate grooming and take early action in line with their child protection and safeguarding policies and procedures to enable preventative action to be taken, if possible, before harm occurs.

Practitioners should be aware that those involved in grooming may themselves be children or young people and be acting under the coercion or influence of adults. Such young people must be considered victims of those holding power over them.

Statutory Responsibilities

The Sexual Offences (Northern Ireland) Order 2008 provides for offences relating to sexual grooming of children and young people. The EA CPSS can offer advice on all child protection issues.

Child Sexual Exploitation

Child Sexual Exploitation is a form of sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants and/or (b) for the financial advantage or increased status of the perpetrator or

facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always include physical contact; it can also occur using technology.

Any child (i.e. a person under the age of 18) can be a victim of CSE. Although younger children can experience CSE, the average age at which concerns are first identified is 12-15 years of age. Sixteen and seventeen year olds, although legally able to consent to sexual activity can also be sexually exploited. Both young females and males can be victims of CSE

CSE can be perpetrated by adults or by young people's peers, on an individual or group basis, or a combination of both, and can be perpetrated by females as well as males.

While children in care are known to experience disproportionate risk of CSE, **the majority of CSE victims are living at home.**

Statutory Responsibilities

While CSE is not a specific criminal offence, it does encompass a range of sexual offences and other forms of serious criminal misconduct.

The Sexual Offences (NI) Order 2008 provides for several offences that between them could enable prosecution of cases of CSE.

The Children (NI) Order 1995 and the Child Abduction (NI) Order 1985 can also be used in cases where children are going missing as part of the exploitation.

Identifying CSE

CSE can be very difficult to identify and a young person may not see themselves as a victim. However, it is our statutory responsibility to protect all children and young people from abuse, irrespective of whether they view themselves as a victim of abuse. **Professionals need to be able to identify vulnerability amid challenging behaviour and frequent resistance to, or even apparent disregard for, professional support.**

Research repeatedly shows that young people rarely report abuse through CSE. Most concerns are identified by professionals, friends or family or by proactive investigation by authorities. In recognition of this, good practice guidelines state that all areas should assume that CSE is occurring within their area unless they have evidence to indicate otherwise. As such, **schools should be alert to the likelihood of CSE and plan to protect children and young people accordingly.**

Potential indicators of CSE:

- Acquisition of money, clothes, mobile phones etc without plausible explanation.
- Truancy/leaving school without permission.
- Persistently going missing or returning late.
- Receiving lots of texts/ phone calls prior to leaving.
- Change in mood - agitated/stressed.
- Appearing distraught/dishevelled or under the influence of substances.
- Inappropriate sexualised behaviour for age.

- Physical symptoms eg bruising; bite marks.
- Collected from school by unknown adults or taxis.
- New peer groups.
- Significantly older boyfriend or girlfriend.
- Increasing secretiveness around behaviours.
- Low self-esteem.
- Change in personal hygiene (greater attention or less).
- Self-harm and other expressions of despair.
- Evidence or suspicion of substance abuse.

While these indicators can be useful in identifying potential risk, their presence does not necessarily mean CSE is occurring. More importantly, nor does their absence mean it is not.

What to Do

CSE is a form of child abuse and, as such, any member of staff suspecting that CSE is occurring should follow the school child protection policy and procedures, including reporting to the appropriate agencies.

Domestic and Sexual Violence and Abuse

The Stopping Domestic and Sexual Violence and Abuse in Northern Ireland: A Seven Year Strategy (2016) defines domestic and sexual violence and abuse as follows: -

Domestic Violence and Abuse:

'threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member.'

Sexual Violence and Abuse

'any behaviour (physical, psychological, verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful, or unwanted that is inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability).'

Please note that coercive, exploitative and harmful behaviour includes taking advantage of an individual's incapacity to give informed consent.

St Caolan's Primary School will ensure that:

- training for staff by the DTs for Child Protection includes awareness of domestic violence and its impact on children;
- the Child Protection Policy includes **recognition of the impact on children of an abusive family setting** and states that cases will be reported to the appropriate statutory agency;
- domestic and sexual violence and abuse is included in the school's preventative curriculum
- The Designated Teacher can contact CPSS for advice at any stage
- Children and young people can contact the Childline Free Helpline at 0800 1111. This is ADVERTISED in the school.

Female Genital Mutilation (FGM)

FGM is a form of child abuse and violence against women and girls. FGM comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. The procedure is also referred to as 'cutting', 'female circumcision' and 'initiation'. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life.

FGM is a form of child abuse and, as such, teachers have a statutory duty to report cases, including suspicion, to the appropriate agencies, through agreed and established school procedures.

In the UK, FGM has been a specific criminal offence since the Prohibition of Female Circumcision Act 1985. The Female Genital Mutilation Act 2003 replaced the 1985

Act in England, Wales and Northern Ireland and the Serious Crime Act 2015 further strengthened the law on FGM.

FGM is a complex issue with many men and women from practising communities considering it to be normal to protect their cultural identity. The procedure may be carried out when the girl is new-born, during childhood or adolescence, just before marriage or during the first pregnancy. However, most cases are thought to take place between the ages of five and eight, putting children in this age bracket at highest risk.

Statutory Responsibilities

Education and Libraries (Northern Ireland) Order 2003 - Article 17 - schools have a statutory duty to promote and safeguard the welfare of its pupils.

The **Female Genital Mutilation Act 2003** repealed and re-enacted the Prohibition of Female Circumcision Act 1985 to set the maximum penalty for FGM to 14 years imprisonment and to make it an offence for UK nationals or permanent UK residents to perform FGM overseas or to aid, abet, counsel or procure the carrying out of FGM abroad, even in countries where FGM is legal.

The **Serious Crime Act 2015** introduced a new offence of failing to protect a girl from FGM and lifelong anonymity for victims of FGM has been guaranteed. New FGM Protection Orders

(FGMPO) were introduced in July 2015 (Section 73) and allow for the making of an FGMPO for the purpose of protecting a girl against the commission of a genital mutilation offence or protecting a girl against whom such an offence has been committed.

A new mandatory FGM reporting duty was also introduced. This duty does not extend to Northern Ireland, however, the **Criminal Law Act (NI) 1967** - Section 5 - makes it an offence to fail to report a “relevant offence” where a person has information which could lead to the apprehension, prosecution or conviction of such an offender. FGM would be such an offence.

The Department issued Multi Agency Practice Guidelines on FGM to all Principals, DTs, BoG and the CPSS in July 2014 and FGM is included as part of Child Protection training.

Where there is a concern that a child or young person may be at **immediate** risk of FGM this should be reported to the PSNI without delay. Contact can be made directly to the Sexual Referral Unit (based within the Public Protection Unit) at 028 9025 9299.

Where there is a concern that a child or young person may be at risk of FGM, referral should be made to the relevant HSCT Gateway Team.

All staff should be aware of warning signs, appropriate response and signposting to further information and sources of help.

The EA CPSS can offer advice on all safeguarding and child protection issues.

Forced Marriage

A Forced Marriage is a marriage conducted without the valid consent of one or both parties and where duress is a factor. Forced Marriage is a criminal offence in Northern Ireland, and where an agency, organisation or practitioner has knowledge or suspicion of a forced marriage in relation to a child or young person, they should contact the PSNI immediately.

There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice whether to accept the arrangement remains with the prospective spouses. In forced marriages, one or both spouses do not (or, in the case of some adults with support needs, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.

Statutory Responsibilities

Forced Marriage (Civil Protection) Act 2007

A Forced Marriage Protection Order (FMPO) issued under the 2007 Act offers protection to a victim from being forced into marriage. A FMPO may contain prohibitions, restrictions or requirements and any other such terms as the Court considers appropriate. An application for a FMPO can be made by a victim, a person obtaining the court’s permission to apply for an order on behalf of the victim, a relevant third party, or by the Court itself. Breach of a FMPO is a criminal offence.

All agencies with responsibility towards safeguarding and promoting the welfare of children must comply with The Right to Choose: Statutory guidance for dealing with forced marriage published by the Department of Finance and Personnel (DFP) in April 2012 to protect persons from being forced into marriage against their will. This guidance is designed to assist with the operation of the 2007 Act and to ensure that the protections which the Act offers are widely promoted in Northern Ireland.

- Warning signs within the school environment:
- Absence and persistent absence.
- Request for extended leave of absence/failure to return from visits to country of origin.
- Surveillance by siblings or cousins.
- Decline in behaviour, engagement, performance or punctuality.
- Poor exam results.
- Being withdrawn from school by those with parental responsibility and not being provided with suitable education at home.
- Not allowed to attend extracurricular activities.
- Sudden announcement of engagement to a stranger.

It is, therefore, advised that in all cases where there is a suspicion that a child or young person is being, or has been forced into a marriage, schools should contact CPSS for advice and assistance.

The EA CPSS can offer advice on all safeguarding and child protection issues.

Children who Display Harmful Sexualised Behaviour

Learning about sex and sexual behaviour is a normal part of a child's development. It will help them as they grow up, and as they start to make decisions about relationships. Schools support children and young people, through the Personal Development element of the curriculum, to develop their understanding of relationships and sexuality and the responsibilities of healthy relationships. Teachers are often therefore in a good position to consider if behaviour is within the normal continuum or otherwise.

It must also be borne in mind that sexually harmful behaviour is primarily a child protection concern. There may remain issues to be addressed through the school's Positive Behaviour Policy but it is important to always apply principles that remain child centred.

It is important to distinguish between different sexual behaviours - these can be defined as 'healthy', 'problematic' or 'sexually harmful'. More details on each type of behaviour can be found in DE Circular 2016/05 'Children Who Display Harmful Sexualised Behaviour'.

Healthy sexual behaviour will normally have no need for intervention; however, consideration may be required as to appropriateness within a school setting.

Problematic sexual behaviour requires some level of intervention, **depending on the activity and level of concern**. For example, a one-off incident may simply require liaising with parents on setting clear direction that the behaviour is unacceptable, explaining boundaries and providing information and education. Alternatively, if the behaviour is more serious, perhaps

because there are a number of aspects of concern, advice from the EA CPSS should be sought.

The CPSS will advise if additional advice from PSNI or Social Services is required.

What is Harmful Sexualised Behaviour?

Harmful sexualised behaviour is any behaviour of a sexual nature that takes place when: there is no informed consent by the victim; and/or the perpetrator uses threat (verbal, physical or emotional) to coerce, threaten or intimidate the victim.

Harmful sexualised behaviour can include:

- Using age inappropriate sexually explicit words and phrases.
- Inappropriate touching.
- Using sexual violence or threats.
- Sexual behaviour between children is also considered harmful if one of the children is much older - particularly if there is more than two years' difference in age or if one of the children is pre-pubescent and the other is not.
- However, a younger child can abuse an older child, particularly if they have power over them - for example, if the older child is disabled.

- Harmful sexualised behaviour will always require intervention and schools should refer to their own child protection policy and seek the support that is available from the CPSS.

E-Safety/Internet Abuse

Online safety means acting and staying safe when using digital technologies. It is wider than simply internet technology and includes electronic communication via text messages, social environments and apps, and using games consoles through any digital device. In all cases, in schools and elsewhere, it is a paramount concern.

In January 2014, the SBNI published its report 'An exploration of e-safety messages to young people, parents and practitioners in Northern Ireland' which identified the associated risks around online safety under four categories:

- **Content risks:** the child or young person is exposed to harmful material.
- **Contact risks:** the child or young person participates in adult initiated online activity.
- **Conduct risks:** the child or young person is a perpetrator or victim in peer-to-peer exchange.
- **Commercial risks:** the child or young person is exposed to inappropriate commercial advertising, marketing schemes or hidden costs.

As Schools **have a responsibility** to ensure that there is a reduced risk of pupils accessing harmful and inappropriate digital content St Caolan's Primary School teaches pupils how to act responsibly and keep themselves safe. As a result, pupils should have a clear understanding of online safety issues.

The school's actions and governance **of online is reflected clearly in its safeguarding arrangements**. Safeguarding and promoting pupils' welfare around digital

St Caolan's E Safety Policy online safety, behaviour, code of practice and anti-bullying policies are integrated into our Safeguarding and Child Protection Policy.

Managing the Risks

Twenty-first Century life presents dangers including violence, racism, radicalisation and exploitation. Whilst children and young people need to be protected from these dangers, they also need to be educated about how to recognise and avoid the risks, in age appropriate manner. In St Caolan's Primary School Pupils will be taught how to cope if they come across inappropriate material or situations online and are encouraged to seek help and advice when they need it.

St Caolan's Primary School will follow DE Circular 2016/27 which provides schools with information on the characteristics of good online safety practice and recommended actions for schools in developing or reviewing their online safety procedures. St Caolan's Primary School only uses the EA/C2k filtered internet service.

Cases of Inappropriate Use

In the event of St Caolan's Primary School becoming aware of pupils or members of staff affected by internet abuse. Cyber-bullying will be considered within the school's overall Anti Bullying Policy. Article 2(2) of the Addressing Bullying in Schools Act (NI) 2016 will expressly permit schools to include in their Anti-Bullying Policy measure to tackle cyber-bullying between pupils, even when the incidents take place outside the normal school day.

While there is no specific legislation for cyber-bullying, the following may cover different elements of cyber-bullying behaviour:

Protection for Harassment (NI) Order 1997 www.legislation.gov.uk/nisi/1997/1180 Malicious Communications (NI) Order 1988 www.legislation.gov.uk/nisi/1988/1849 The Communications Act 2003 www.legislation.gov.uk/ukpga/2003/21

Sexting

Sexting is the sending or posting of sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet. There are two aspects to Sexting:

Sexting between individuals in a relationship

Pupils need to be aware that it is illegal, under the Sexual Offences (NI) Order 2008, to take, possess or share 'indecent images' of anyone under 18 even if they are the person in the picture (or even if they are aged 16+ and in a consensual relationship) and in these cases you should contact local police on 101 for advice and guidance. Advice should be sought from CPSS.

Sharing an inappropriate image with an intent to cause distress

If a pupil has been affected by inappropriate images or links on the internet it is important that you **do not forward it to anyone else**. Please remember that schools are not required to investigate incidents. It is an offence under the Criminal Justice and Courts Act 2015 to share an inappropriate image of another person without the individual's consent by contacting the police you could help prevent further distribution of the image and further such incidents contain the damage it can cause.

Dealing with Children with Increased Vulnerabilities

The Board of Governors of St Caolan's Primary School and all staff teaching and non-teaching including volunteers are to make themselves fully aware of Dealing with Children with Increased Vulnerabilities. The following is a summary of each type of vulnerability which is fully detailed in the document Safeguarding and Child Protection in Schools (hard copy available School Office)

Children with a Disability

Children and young people with disabilities (i.e. any child or young person who has a physical, sensory or learning impairment or a significant health condition) may be more vulnerable to abuse and individuals and organisations working with children with disabilities should be aware of any vulnerability factors associated with risk of harm, and any emerging child protection issues. Staff must be aware that communication difficulties can be hidden or overlooked making disclosure particularly difficult.

DoH Co-operating to Safeguard Children and Young People in Northern Ireland (2017), Section 7.3.10 gives further information on children and young people with disabilities and steps to be followed.

Children with a special educational need should be given the chance to express themselves to a member of staff or other professional with appropriate language/ communication skills, especially where there are concerns that abuse may have occurred.

Physical contact may be a necessary part of teaching some pupils with special educational needs, for example visually impaired children, or those with profound and multiple learning difficulties.

St Caolan's Primary School informs staff, parents and pupils about their Code of Conduct and Intimate Care Policy at the beginning of each academic year or whenever pupils start St Caolan's Primary School.

Children with limited fluency in English

As with children with a special educational need, children who are not fluent in English should be given the chance to express themselves to a member of staff or other DTs should work with their SEN co-ordinators along with school staff with responsibility for newcomer pupils, seeking advice from the EA's Inclusion and Diversity Service to identify and respond to any particular communication needs that a child may have.

Gender Identity Issues/Sexual Orientation

Schools should strive to provide a happy environment where all young people feel safe and secure. All pupils have the right to learn in a safe and secure environment, to be treated with respect and dignity, and not to be treated any less favourably due to their actual or perceived sexual orientation.

DE requires all grant-aided schools to develop their own policy on how they will address Relationships and Sexuality Education (RSE) within the curriculum. It is via this policy that schools are expected to cover issues relating to relationships and sexuality, including those affecting LGB&T children and young people.

CCEA published updated guidance for primary and post-primary schools on RSE in August 2015. This guidance outlines the importance of RSE, the partnership approach needed for effective delivery of RSE (including the need for engagement with parents), the inclusive approach that is required (covering sexual orientation/gender identity) and the importance of the classroom environment. DE Circular 2015/22 - Relationship and sexuality education also provides help and advice for schools. Each school is required to have in place a written RSE Policy with the latest guidance published in August 2015: St Caolan's Primary School has an RSE Policy.

Statutory Responsibilities

The Education (Curriculum Minimum Content) Order (NI) 2007 does not specifically refer to, "gender, race, political opinion, faith" but instead states that pupils should have opportunities to, "Investigate how and why conflict, including prejudice, stereotyping, sectarianism and racism may arise in the community". The terms prejudice and stereotyping can cover a wide range of scenarios - including disability, gender, and sexual orientation.

European Convention of Human Rights details the rights of all citizens.

Education and Libraries (NI) Order 2003 places an obligation on BoG to 'safeguard and promote the welfare of registered pupils.

Equality Act (Sexual Orientation) Regulations (NI) 2003 and Regulations (NI) 2006 makes it unlawful for service providers (including education service providers) to discriminate against people because of their sexual orientation.

Sex Discrimination (NI) Order 1976 (as amended in 2011 and 2012) makes it unlawful for an educator to discriminate based on sex, being married or having a civil partner, on the grounds of undergoing, undergone, or intention to undergo gender reassignment (this means someone who changes their sex under medical supervision).

Teaching a Preventative Curriculum

St Caolan's Primary School has policies in place for

- Personal Development and Mutual Understanding
- Relationships and Sexuality
- E Safety - On Line and Mobile Phone Safety
- Positive Behaviour
- Anti-Bullying

St Caolan's Primary School teaches a Preventative Curriculum through (PDMU, Personal Development and Mutual Understanding, and our Religious Programme Grow in Love) to build the confidence, self-esteem, and personal resiliencies of children so that they can develop coping strategies and can make more positive choices in a range of situations. We teach Anti-Bullying Strategies using resources from **NIABF** - the Northern Ireland Anti-Bullying Forum and

we teach on- line and mobile phone safety. RSE is covered within the 'Personal Development and Mutual Understanding' (PDMU) area of learning.

Other Policies

10.1 Overview

St Caolan's Primary School has a duty to ensure that safeguarding permeates all activities and functions our Safeguarding and Child Protection Policy complement and support a range of other policies including:

- Attendance Policy.
- Positive Behaviour Policy.
- Pastoral Care.
- Anti-Bullying Policy.
- Safe Handling.
- Special Educational Needs.
- First Aid and Administration of Medicines.
- Health and Safety Policy.
- Relationships and Sexuality Education.
- Intimate Care.
- E-Safety Policy.
- Educational Visits.
- Staff Code of Conduct.

All policies will be kept up to date, with regular risk assessments carried out where required. A summary of all policies are given to parents with hard copies available on request.

ST CAOLAN'S PRIMARY NOTE OF CONCERN

Child Protection Record – Reports to Designated Teacher

Name of Pupil	
Class	
<u>Date Time of Incident /Disclosure</u>	
<u>Circumstances of Incident / Disclosure</u>	
<u>Nature and Description of Concern</u>	
<u>Parties involved, including any witnesses to an event and what was said or done and by whom:</u>	
<u>Action taken at the time</u>	

<u>Details of any advice sought, from whom and when:</u>		
<u>Any Further action taken</u>		
<u>Date written report passed to designated teacher</u>		
<u>Written note from staff member place on pupil's child protection file</u>		
<u>Yes</u>		
<u>No</u>		
<u>If No State reason.</u>		
	SIGNATURE	DATE
Name of Staff Member Making Report		
Name of Designated Teacher		

Please refer to
Child Protection Records Management Policy (Including Disposal of Records)

St Caolan's Primary School

Child Protection Records Management Policy (Including Disposal of Records)

Section 1: Introduction

1.1 To support effective child protection practice St Caolan's Primary School has in place a Child Protection Records Management Policy (Including Disposal of Records) This Policy is guided by Circular 2016/20 Child Protection: Record Keeping in Schools which updates and replaces records management guidance included in DE Circular 1999/10 "Pastoral Care in Schools: Child Protection" and should be read in conjunction with DE Circular 2015/13 "Dealing with Allegations of Abuse Against a Member of Staff".

1.2 As part of child protection/ safeguarding arrangements St Caolan's Primary School has developed clear guidelines for the recording, storage, retention and destruction of both manual and electronic records where they relate to child welfare concerns. St Caolan's Primary School will create and retain reliable records to demonstrate accountability for decisions and actions taken.

1.3 St Caolan's Primary School acknowledges that Safeguarding is more than child protection. Safeguarding begins with promotion and preventative activity which enables children and young people to grow up safely and securely in circumstances where their development and wellbeing is not adversely affected. It includes support to families and early intervention to meet the needs of children and continues through to child protection. Child protection refers specifically to the activity that is undertaken to protect individual children or young people who are suffering, or are likely to suffer significant harm.¹

1.4 A child in need of protection is a child who is at risk of, or likely to suffer, significant harm which can be attributed to a person or persons or organisation, either by an act of commission or omission; or a child who has suffered or is suffering significant harm as defined in Article 50 of the Children (NI) Order 1995.

1.5 The 'Safeguarding Team' in St Caolan's Primary School includes the Principal/ Deputy Designated Teacher, Mrs Cassidy, Designated Teacher, Mr Mc Veigh, Chair of Board of Governors, Mr Val Mc Murray and the Designated Governor for Child Protection Mr Liam Murray. The Team will meet once per term to ensure that appropriate child protection and safeguarding procedures are in place and to offer support to the Designated Teacher Mr Mc Veigh in fulfilling his responsibilities.

¹ Co-Operating to Safeguard Children and Young People in Northern Ireland (March 2016)

<https://www.health-ni.gov.uk/publications/co-operating-safeguard-children-and-young-people-northern-ireland>

Section 2: Requirement to Keep Pupil Records

2.1 Accurate recording of concerns and action taken is essential in helping schools identify causes for concern at an early stage and to help schools monitor and manage its safeguarding practices. At the beginning of each academic year the Designated Teacher Mr. Mc Veigh or in his absence Deputy Designated Teacher Mrs Cassidy, will make staff of St Caolan's Primary School aware of the need to record and report any child protection concerns and the appropriate procedures to be followed.

2.2 As each school has a responsibility to maintain its records and record keeping systems. The Board of Governors of St Caolan's Primary School will ensure that the arrangements operated by the school for the retention, management and release of public records comply with statutory requirements.

2.3 Whilst there is no specific legislation in respect of child protection records, St Caolan's Primary School will ensure that the principles of the requirements under the legislation and guidance listed at Annex A and B of Circular 2016/20 Child Protection: Record Keeping in Schools are adhered to. A court may require St Caolan's Primary School to provide its full records on the child.

2.4 St Caolan's Primary School has developed this Child Protection Records Management Policy in line with this guidance.

2.5 Professional judgement by the Designated Teacher for Child Protection Mr Mc Veigh or in his absence Deputy Designated Teacher Mrs Cassidy will be required in assessing a concern and deciding when to commence a 'child protection record'. Child abuse includes:

- neglect
- physical abuse
- sexual abuse
- emotional abuse
- exploitation
- domestic and sexual violence and abuse
- child sexual exploitation
- female genital mutilation
- children who display harmful sexualised behaviour

However, a child protection record will be commenced if there is evidence of a safeguarding risk of, for example, self-harm, suicidal ideation or other behaviours that cause concern.

Section 3: Recording of Child Protection Information

3.1 The Designated Teacher for Child Protection Mr Mc Veigh or in his absence Deputy Designated Teacher Mrs. Cassidy will ensure that an accurate record of all cases of potential child abuse is maintained detailing all actions taken.

Note of Concern

3.2 Any member of staff who has a concern about the welfare or safety of a child or young person should complete a Note of Concern (see Annex D). Notes must be made as soon as possible after the incident to ensure an expedient response, and certainly within 24 hours², to maintain the accuracy and content of the report. For some children a one-off serious incident or concern may occur, and staff will have no doubt that this must be immediately recorded and reported. More often, however, it is the accumulation of several small incidents, events or observations that can provide the evidence of harm being caused to a child.

3.3 The staff member should report the concern to the Designated Teacher for Child Protection Mr Mc Veigh or in his absence Deputy Designated Teacher Mrs Cassidy at an early stage, immediately if the concern is of a serious nature, as the Designated Teacher may be aware of other circumstances which would influence steps to be taken. The Note of Concern and any further details discussed, or action taken should be placed on the pupil's Child Protection File and should be signed and dated by both parties to confirm the information is accurate.

UNOCINI

3.4 The 'Understanding the Needs of Children in Northern Ireland' (UNOCINI) is a framework to support professionals in assessment and planning to better meet the needs of children and their family.

3.5 The UNOCINI model is used to enable practitioners and their agencies to communicate their concerns about children using a common format, language and understanding of the levels of need, concern or risk for all children across Northern Ireland.

3.6 The UNOCINI assessment framework is intended to be used by all professionals working with children as a tool to help them identify the needs of children at an early stage. UNOCINI guidance includes information about when and how to refer a child to children's social services.

3.7 The UNOCINI referral form will be completed by the Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy

² *The seriousness of the concern will dictate speed of response. In some instances immediate reporting, to allow appropriate action to be taken, will be necessary.*

whenever staff wish to refer a child or young person to children's social services for support, safeguarding or a fuller assessment of a child's needs.

3.8 If the Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy are concerned that a child may be suffering, or at risk of suffering, significant harm, then an urgent referral to children's social services through the local Gateway Service must be made. When making an urgent referral by telephone, the Duty Social Worker will advise that confirmation of referral is to be made in writing on a UNOCINI within 24 hours.

3.9 Non-urgent referrals i.e. child in need/ family support referrals should be made in writing using the UNOCINI Referral form.

3.10 St Caolan's Primary School notes that consent of the parent/carers and/or the young person (if they are competent to give this) must normally be given prior to a referral. An exception can be made if a child needs safeguarding and gaining consent may increase the risk to a child or young person. Issues of consent (including when consent is not forthcoming) must always be clearly recorded.

Child Protection File

3.11 Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy will store each Note of Concern and copy UNOCINI documents in the child's Child Protection File and supplement it with all other records created and acquired as the management of the concern progresses. A Child Protection File will be held separate to the School Pupil/ Educational Record and will be stored securely in a locked metal box which is permanently fixed to wall in the office. The School Pupil/ Educational Record will be marked - Refer to (CPF) Child Protection File to indicate the presence of a separate confidential file.

3.12 The Child Protection File will contain:

- Chronology of events/ action taken
- All records of concern
- Any notes initially recorded, including in the form of notebooks/diaries³ which should be kept securely with the child protection file
- Records of discussions and telephone calls (with colleagues, parents and children/young people and other agencies or services)
- Correspondence with other organisations - sent and received
- Referral forms – both for support services and specialist services (irrespective of outcome)
- Formal plans linked to the child e.g. child protection plan, child in need plan
- Risk assessments
- Risk Management Plans/ Individual Safety and Support Plans
- School reports to interagency meetings and conferences
- Minutes of interagency meetings e.g. child in need, strategy, child protection conference
- Any other relevant notes/ papers

³ It is recommended that notebooks/ diaries are not used to record child protection concerns - see paragraph 6.3

3.13 Relevant and accurate records will be maintained to inform effective decision making and assist in the sharing of appropriate information. They will contain information or be clearly specified as unsubstantiated and will include all relevant information even if it appears contradictory.

3.14 Any significant event or change which has an impact on the child's welfare must be included in the Child Protection File and noted on the chronology of events/ action taken, even if it seems to be contradictory. As a guideline, although not exhaustive, the following may be relevant:

- Change of circumstances: changes of carer, address, legal status, school, family circumstances and household composition.
- Issues for the child: physical or mental health issues, incidents of abuse, losses, developmental issues, incidents of running away/going missing, incidents re bullying, offending or police involvement.
- Family issues: changes in family composition, loss and separation, domestic violence, financial or housing problems, physical or mental health, substance misuse, homelessness, imprisonment, victimisation.
- Professional involvement: referrals made or involvement of other agencies, assessments, significant decisions, interventions, social services involvement.

3.15 Any decisions made must be recorded together with reasons for the agreed action, this will be vital to any future processes, such as retrospective or historical allegations and Case Management Reviews. It is vitally important to record all relevant details, regardless of whether the concerns are shared with either the police or social services.

3.16 When Social Services inform the school that a child's name has been placed on the Trusts' Child Protection Register (CPR), St Caolan's Primary School will maintain a record of this fact and associated documentation from Social Services on the child's Child Protection file. See sections 5 - 7 for further details on sharing, transfer and retention of this information.

Complaints Against School Staff

3.17 Where a complaint is made about possible abuse by a member of staff of the school, St Caolan's Primary School will follow the procedures set out in DE Circular 2015/13.

3.18 As set out in Circular 2015/13, all allegations of a child abuse nature must be recorded in the Record of Child Abuse Complaints book⁴, which must be retained securely (see paragraph 4.1). A record of this should be placed on the relevant pupil's Child Protection File.

3.19 St Caolan's Primary School will ensure that ALL allegations are recorded to ensure St Caolan's Primary School can monitor allegations made and identify causes or patterns of concern at an early stage. The Boards of Governors will be kept fully informed of all

⁴ All schools should retain a Record of Child Abuse Complaints to record allegations against a member of staff.

complaints to ensure they are complying with their statutory responsibilities under the Education and Libraries (NI) Order 2003

3.20 These records will be signed and dated by the Principal Mrs. Cassidy. If the Principal is the subject of the concern, the allegation should be reported immediately to the Chair of the Board of Governors Mr. Val Mc Murray, Deputy Chairperson and Designated Governor for Child Protection, Mr. Liam Mc Murray and the Governor appointed to be the Lead Individual. The record will be retained in St Caolan's Primary School, on both the child's Child Protection File and the file of the member of staff concerned.

3.21 If, on foot of a subsequent investigation by one of the investigating agencies, the member of staff concerned is totally exonerated:

- the record on the staff member's file must be expunged
- the entry in the Record of Child Abuse Complaints struck through with an explanation entered
- the record on the child's file should be noted with the outcome of the investigation and should stand until the child's D.O.B +30 years.

3.22 Given the number of recent historical allegations, unless the member of staff concerned is totally exonerated, the record should be retained indefinitely⁵. If a closure or an amalgamation of an educational establishment(s) occurs or when a member of staff retires, leaves or changes post, advice should be sought from the relevant Employing Authority and/or the Information Commissioner's Office.

Section 4: Storage of Child Protection Information

4.1 Child Protection information is confidential and should not be kept in the child's/ Pupil's Educational Record. St Caolan's Primary School will have a separate secure confidential filing system for Child Protection concerns. This is a fireproof locked metal box which is permanently fixed to wall in the office. Other child protection records including the school's confidential Record of Child Abuse Complaints will be stored here. The metal box will be accessible to only the Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy. The metal box is not accessible to anyone else. This includes administrative staff, the ETI or members of the Board of Governors. The keys to the cabinet will not be removed from the premises and will be stored securely. The ETI will seek assurance that child protection records are held securely and in a confidential manner.

4.2 Child Protection Records will not be removed from the school premises, except when taken to a case planning meeting in respect of the child, or on foot of a court order. If information needs to be taken out of the school, it will be transported securely and a record should be kept of when it was removed, by whom, for what purpose, and when it was returned.

⁵ More information on retention periods can be found in Section 7.

Storing Information Electronically

4.3 Sensitive information will never be held on computers to which staff or pupils could have free access, including SIMS.net.

4.4 Records will not be stored electronically on the C2k system.

Section 5: Access to Records and Sharing of Information

5.1 The [Data Protection Act 1998](#) establishes a framework of rights and duties which are designed to safeguard personal data. This framework balances the legitimate needs of organisations to collect and use personal data for business and other purposes against the right of individuals to respect for the privacy of their personal details.

5.2 When considering what information can be shared, including on transfer to another school, St Caolan's Primary School will ensure that this is compliant with the 8 principles in the [Data Protection Act 1998](#) :

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - (a) at least one of the conditions in Schedule 2 is met, and
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

5.3 In all cases the information should be adequate, relevant and not excessive.

5.4 In relation to the first data protection principle which requires that personal information is used fairly, lawfully and can satisfy relevant conditions for processing, St Caolan's Primary School will ensure that:

- fair processing information is provided to parents, children and staff explaining what information is held by the school and when information might be transferred to a new school (
- the transfer of information is lawful (i.e. that it does not breach confidentiality, or the Human Rights Act)
- a condition for processing can be satisfied from Schedule 2 in the case of personal data, and a further condition from Schedule 3 if sensitive personal data (which given the nature of information within child protection records will invariably be sensitive).

5.5 Actions and outcomes, including the basis for sharing and how the information meets the requirements under the Data Protection Act (DPA) will be clearly recorded and it will be clear what is factual and up to date and what unsubstantiated information is. Third party information, which is not linked in any way to the child whose record is being transferred, will be redacted.

5.6 The Information Commissioner's Office (ICO) has published a statutory [Data Sharing Code of Practice](#) to assist organisations to comply with the DPA. The code is applicable to all organisations involved in sharing personal data, whether this is within different branches of the same organisation, or with another third party organisation.

5.7 In accordance with the Data Protection Act 1998, St Caolan's Primary School is the Data Controller and has responsibility to ensure that the Act is complied with.

5.8 Child Protection records may be exempt from the disclosure provisions of the Data Protection Act 1998 in cases where disclosure may cause serious physical or emotional harm to the child or any other person. This means that neither pupils nor their parents have an automatic right to access them. However, the exemption only applies to the information that may cause harm and is not a blanket exemption for the file as a whole. In addition, the exemption can only be relied upon if it is endorsed by the opinion of an appropriate health professional. (Data Protection (Subject Access Modification) (Health Order) 2000).

5.9 The exemption should be applied on a case-by-case basis, applying in each case the test of prejudice. Where the Principal receives a request for subject access from a pupil or his/her parent, or from a member of staff against whom an allegation has been made, and is in doubt whether the data should be disclosed, the person responsible for information management in the Education Authority Region will be consulted.

Sharing Information within the School

5.11 Child Protection information is confidential and often highly sensitive and decisions to share, or not to share, must always be made in the interest of protecting the child if at risk of significant harm. There is also a duty to protect individuals and, as such, within a school information should only be shared with staff who require access to it, in order to work in a safe and informed way with the child and family. The Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy will record who

information is shared with, when, and the reasons for this. All staff should understand the importance of maintaining confidentiality and the consequences of any breach.

5.12 Staff must always consider the safety and welfare of the child when making decisions about whether to share confidential information. Subject to the provisions of the Data Protection Act 1998 the disclosure of confidential information is allowed when necessary to protect or safeguard a child.

5.13 Any information relating to a third party (another child or adult) should not normally be made available to anyone, unless the third party gives explicit consent to the disclosure being made. Records demanded by a court must be redacted to protect the identity of a third party. For this reason, and in the general interests of confidentiality, St Caolan's Primary School will ensure that concerns about pupils should be recorded on an individual basis, rather than in a diary, or log, where several children's and staff names may appear on one page.

Sharing Information with Others

5.14 The subject of the record, those with parental responsibility, or the pupil's guardian ad litem, i.e. an independent officer of the Court appointed under the Children (NI) Order 1995 to safeguard the interest of children who are the subject of Court proceedings, do have the right in law to request access to the records at any stage, subject to the exemptions under the Data Protection Act 1998.

5.15 Access to child protection records should be strictly on a need-to-know basis, and a record should be kept identifying who has requested access, when and for what purpose. St Caolan's Primary School will refer to guidance from the Information Manager in the relevant Education Authority Region.

5.16 Information must always be shared with other agencies where there is a legal duty to do so e.g. PSNI and Social Services. It should, however, be noted that the PSNI have no automatic right to access data and must complete Form 81, stating the data they require and the specific case to which it relates.

5.17 Consent to share information should be sought where possible, however, sharing, even without consent, will normally be justified, if there is evidence of reasonable cause to believe that a child is suffering, or is at risk of suffering harm. Ensure that the information shared is necessary for the purpose for which it is being shared, is shared only with those people who need to have it, is accurate and up-to-date, and is shared securely.

Reporting to Board of Governors

5.19 In adhering to best practice, St Caolan's Primary School has Child Protection as a standing agenda item for Board of Governor meetings and the Designated Teacher prepares a report for the meeting of all child protection activities and a full annual report for the Board of Governors on all Child Protection matters. The annual report includes information such as what child protection training has been provided for staff/volunteers, statistics in relation to child protection concerns e.g. the number of referrals to Social Services and number of children on the child protection register, the number of complaints against staff, any safeguarding/child protection initiatives delivered as part of the school's preventative

curriculum, policy reviews undertaken. All reports will be anonymized in keeping with the principle of confidentiality.

5.20 St Caolan's Primary School record of Child Abuse Complaints will be made available to the Board of Governors at annually. If an allegation is recorded anonymized information will be shared with Governors including what action was taken and the outcome of the complaint. The Chair will sign and date the Record of Child Abuse Complaints annually; even if there have been no entries. St Caolan's Primary school is mindful that The Education Training Inspectorate will ask to see the Record and Chair's signature during inspections, but not the content or detail of complaints.

Education Training Inspectorate (ETI)

5.21 The ETI are not entitled to see the content of any child protection record, however, they do need to be assured that records exist and are held in a secure and confidential manner. They will also request sight of the Record of Child Abuse Complaints and, while they are not entitled to view the content, they will check that the book is completed and signed off annually by the Chair of the Board of Governors.

Section 6: Transfer of Child Protection Records

Transfer of Records

6.1 Under the Education (Pupil Records and Reporting) (Transitional) Regulations (NI) 2007, Boards of Governors are required to make arrangements to transfer a formal record of a pupil's academic achievements, other skills and abilities and progress within 15 school days of a pupil transferring schools. The requirement does not include the transfer of child protection records. However, where there have been, or are current, concerns about a pupil the school should consider what information should be shared with the new school.

6.2 Past safeguarding concerns and the response to these can be significant, should concerns arise for the child later. The third data protection principle is key in relation to deciding whether to transfer past concerns. If the information, current or historical, is deemed to be relevant then it should be shared.

6.3 The Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy will be responsible for ensuring that copies of relevant child protection records are transferred to the DT of the receiving school in the most secure and appropriate manner to minimise the risk of any data breach. The data controller, i.e. St Caolan's Primary School is accountable for any data breach.

6.4 When a child on whom St Caolan's Primary School holds safeguarding or child protection information leaves the school and we are unaware of their new school we will notify the Education Welfare Service at the Education Authority who will then attempt to locate the child. Social Services must be informed immediately if the child has a Child Protection Plan or is a Looked After Child. St Caolan's Primary School will retain the child's child protection records and forward the relevant information to the receiving school when the child has been traced.

6.5 When a child whose name is on the Child Protection Register changes school, St Caolan's Primary School will inform the receiving school immediately that his/her name is on the Register and will pass on contact details for the social worker. St Caolan's Primary School will then destroy all child protection records on the child supplied by Social Services, including records of case conferences, and will inform the child's Case Co-ordinator in Social Services. The remaining child protection record should be copied, as relevant, to the new school. When considering what information is relevant advice will be sought from the CPSSS. The school to which the child is transferring should contact the child's social worker for relevant information. The leaving school can retain original copies of their own documents.

6.6 Following good practice The Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy will discuss concerns directly with the DT from the receiving school in advance of sending the child protection record.

Section 7: Closure, Retention and Disposal of Child Protection Records

Closure

7.1 When a pupil leaves the school or child protection concerns cease to be current or ongoing, and records cease to be of active use other than for reference purposes, the child's individual Child Protection File will be closed. The Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy will review the file and mark the front cover of the file indicating the date on which the file can be destroyed, for example, 30 years from the pupil's date of birth. Closing a file simply means that no further papers can be added. If new concerns arise a new file can be opened and cross-referenced with the previous record.

Retention of Child Protection Records

7.2 In order to determine how long child protection records should be kept there are a number of guiding principles. The Data Protection Act 1998 requires that personal information should be:

- Adequate, relevant and not excessive for the purpose(s) for which they are held (third principle)
- Accurate and where necessary kept up to date (fourth principle)
- Not kept for longer than is necessary for its purpose(s) (fifth principle)

7.3 The school is the Data Controller and St Caolan's Primary School has responsibility to ensure that the Act is complied with.

7.4 Every school must have a Record Retention and Destruction Policy and a Disposal of Records Schedule. St Caolan's Primary School has followed the considerations set out at Annex E.in developing a policy for child protection records.

7.5 The potential for historical allegations to be made has been considered in determining retention periods for child protection records.

Retention Periods for Child Protection Records

7.6 It is recommended that, in general, child protection records should be retained by St Caolan's Primary School for the following periods:

Record	Retention Period
Pupil Child Protection Case Files	DOB + 30 years
The school's confidential Record of Child Abuse Complaints	Indefinitely*
If Social Services inform the school that a child's name has been placed on the Child Protection Register	Maintain a record of this fact and associated documentation from Social Services on the child's file while he/she continues to attend. On transfer, the school should inform the new school and destroy all social services records. The record on the Child Protection File will remain until D.O.B + 30 years.
If Social Services inform the school that a child's name is removed from the Child Protection Register	On transfer to a new school, the school should destroy any child protection records on the child supplied by Social Services, including records of case conferences. The record on the Child Protection File will remain until D.O.B + 30 years.
Complaint against a member of staff Staff members file ⁶ Child's Child Protection File Record of Child Abuse Complaints	Indefinitely* unless totally exonerated (see para. 3.16) D.O.B + 30 years Indefinitely*
Complaint to be pursued under the school's disciplinary procedures	
Staff members file Child's Child Protection File Record of Child Abuse Complaints	5 years D.O.B + 30 years Indefinitely*

* as a general guide 'indefinitely' should be a minimum of 40 years.

⁶ The Department of Education Disposal Schedule recommends that a staff file is retained for 7 years after leaving employment. In the case of child protection concerns the file should be retained for the time periods specified in the school Child Protection Records Retention and Destruction Policy.

Disposal

7.7 At the end of the agreed retention period records will be securely disposed of by shredding in the presence of a member of the Board of Governors.

7.8 St Caolan's Primary School will refer to The National Archives guidance based on the Independent Inquiry into Child Sexual Abuse stressing that any information which may be required by the Inquiry should not be destroyed. This principle will be applied in all cases and careful review before destruction of documents.

Section 8: School Closures and Amalgamations

8.1 In the event of St Caolan's Primary School closing and the site is being sold or reassigned for other use then the Employing Authority should take responsibility for the records from the date of the school closure. In such cases St Caolan's Primary School will contact the Information Manager in the Employing Authority regarding secure transfer of the records. Hand delivery or collection of documents will be preferable but where documents are to be posted these will be double-enveloped, marked on the inner envelope as 'sensitive personal data' and sent by registered post.

8.2 When St Caolan's Primary School is preparing to close The Designated Teacher for Child Protection Mr Mc Veigh or in his absence the Deputy Designated Teacher Mrs. Cassidy will identify pupils with a child protection record. Every effort will be made to establish the pupil's new school and the processes in Section 7 followed. After the transfer of relevant information has taken place, the child's file should be forwarded to the Employing Authority for retention until the child reaches the age of D.O.B + 30 years. Child protection records of pupils who have already left the school which are still within the retention period should also be transferred, securely as above, to the Employing Authority for retention and destruction at the appropriate time.

8.3 If several schools have merged onto St Caolan's Primary School site and then function as one school, it is sensible to retain all records relating to the schools on the one site. These records should be kept in the confidential locked filing cabinet, accessible only by the Designated Teacher Mr Mc Veigh and the Principal Mrs Cassidy.

ANNEX A

LEGISLATIVE CONTEXT

St Caolan's Primary School-Child Protection Records Management Policy has been guided by the United Nations Convention on the Rights of the Child and takes account of the principles and requirements of the following legislation and guidance:

Primary Legislation

- Public Records Act (NI) 1923
- Disposal of Documents (NI) Order 167, 1925
- The Limitation (Northern Ireland) Order 1989
- Children (NI) Order 1995
- Data Protection Act 1998
- Human Rights Act 1998
- Freedom of Information Act 2000
- Education and Libraries (NI) Order 1986
- Education and Libraries (NI) Order 2003
 - The Education (NI) Order 2006

Subordinate Legislation

The Education (Pupil Records and Reporting) (Transitional) Regulations (NI) 2007
<http://www.legislation.gov.uk/nisr/2007/43/contents/made>

The Education (Pupil Reporting) Regulations (Northern Ireland) 2009
http://www.legislation.gov.uk/nisr/2009/231/pdfs/nisr_20090231_en.pdf

The Data Protection (Subject Access Modification) (Health Order) 2000
<http://www.legislation.gov.uk/uksi/2000/413/contents/made>

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ANNEX B GUIDANCE

- Co-operating to Safeguard Children and Young People in Northern Ireland (March 2016) at <https://www.health-ni.gov.uk/publications/co-operating-safeguard-children-and-young-people-northern-ireland>
- DE: Model Schools Disposal of Documents Schedule <https://www.education-ni.gov.uk/articles/disposal-school-records>
- Accessing Pupils' Information (Information Commissioners Office) <https://ico.org.uk/for-the-public/schools/pupils-info/>
- UNOCINI – [Understanding the Needs of Children in Northern Ireland \(UNOCINI\) framework](#)
- CPSSS School Governors Handbook (2015) (issued by Child Protection Support Service for Schools)
 - <https://www.education-ni.gov.uk/publications/cpsss-board-governors-handbook>
 -
- DE Circular 1999/10: Pastoral Care in Schools: Child Protection
 - <https://www.education-ni.gov.uk/publications/pastoral-care-schools-child-protection>
 -
- DE Circular 2003/13: Welfare and Protection of Pupils <https://www.education-ni.gov.uk/publications/circular-200313-welfare-and-protection-pupils-education-and-libraries-ni-order-2003>
- DE Circular 2015/13: Dealing with allegations of abuse against a member of staff
 - <https://www.education-ni.gov.uk/publications/circular-201513-dealing-allegations-abuse-against-member-staff>
 -
- Education Authority website: <http://www.eani.org.uk/#>
- ACPC (Area Child Protection Committee) policies and procedures and other information is available on the SBNI website at: <http://www.safeguardingni.org/resources>

General Records Management Guidance:

Lord Chancellor's Code of Practice on Management of Records (Section 46 FOI Act)

http://www.proni.gov.uk/lord_chancellor_s_code_of_practice_-_section_46.pdf

Information Commissioners Office - Data Protection – The Eight Principals

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

Information Commissioners Office – FOIA - Section 46 Code of Practice – records management

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<https://ico.org.uk/media/for-organisations/documents/1624142/section-46-code-of-practice-records-management-foia-and-eir.pdf>

Information Commissioners Office – Subject Access Code of Practice

<https://ico.org.uk/media/for-organisations/documents/1065/subject-access-code-of-practice.pdf>

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ANNEX C

Definitions

Who is 'a child'?

For the purposes of this guidance, the term 'child' has the same meaning as in the Children (NI) Order 1005, i.e. a person under the age of 18. In the case of a pupil with special educational needs the term 'child' should be interpreted as including any person who has not attained the age of 19 and is a registered pupil at the school. A person who attains age 19 during a school year shall be deemed not to have attained that age.

What is child protection?

'Child protection' refers specifically to the activity that is undertaken to protect individual children or young people who are suffering, or are likely to suffer harm. A child in need of protection is a child who is at risk of, or likely to suffer, significant harm which can be attributed to a person or persons or organisation, either by an act of commission or omission; or a child who has suffered or is suffering significant harm as defined in Article 50 of the Children (NI) Order 1995.

What is significant harm?

The Children Order defines 'harm' as ill-treatment or the impairment of health or development. The Order states that 'ill-treatment' includes sexual abuse and forms of ill-treatment which are physical and forms of ill-treatment which are not physical; 'health' means physical and / or mental health; and 'development' means physical, intellectual, emotional, social or behavioural development.

There is no absolute definition of 'significant harm', as this will be assessed on a case by case basis. Article 50(3) of the Children Order states that "where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child".

Further information, including types of abuse, is available in the DHSSPS Co-operating to Safeguard Children and Young People (March 2016) at:

<https://www.health-ni.gov.uk/publications/co-operating-safeguard-children-and-young-people-northern-ireland>

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ANNEX D PROFORMA
CONFIDENTIAL

NOTE OF CONCERN

CHILD PROTECTION RECORD - REPORTS TO DESIGNATED TEACHER

Name of Pupil:
Year Group:
Date, time of incident / disclosure:
Circumstances of incident / disclosure:
Nature and description of concern:
Parties involved, including any witnesses to an event and what was said or done and by whom:

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Action taken at the time:
Details of any advice sought, from whom and when:
Any further action taken:
Written report passed to Designated Teacher: Yes: No: If 'No' state reason:
Date and time of report to the Designated Teacher:
Written note from staff member placed on pupil's Child Protection file If 'No' state reason:

Name of staff member making the report: _____

Signature of Staff Member: _____ Date: _____

Signature of Designated Teacher: _____ Date: _____

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ANNEX E

Key questions to consider in developing a retention and storage policy for child protection records

As the Data Controller, the school is responsible for the retention and destruction of its records. Every school must have a Record Retention and Destruction Policy and a Disposal of Records Schedule. The policy in respect of child protection records should clearly indicate:

- What records will be held and for what purpose?
- How long should we retain records?
- Do any statutory requirements apply to our records in terms of retention?
- What is the purpose and format of retained records?
- How will records be stored, with particular emphasis on security?
- How will records be accessed, who has responsibility for controlling access and levels of access?
- What arrangements will we need to review the records?
- What arrangements are in place for the destruction of records on a timely basis?

A model policy on general record keeping and disposal is available on the Department website at:

https://www.education-ni.gov.uk/search?query=disposal+schedule&edit-submit-button=Go&as_sfid=AAAAAAXDxXdv4vgdWYhcb2CO6LU-WiLVGe7WzFTDqqRe71_HybsIBkqUj1-aPTIqZTr_g1_GM00tEP9TGwO6XATN_S5NW_-Fe6ZSa8hwxQQgmf-M2w%3D%3D&as_fid=L0fmE7ohDeG_ta1RKQ9-

The legislation and guidance which affect the issues addressed by this circular are listed at Annex A and B.