

CHILD PROTECTION GUIDANCE



PUPIL SUPPORT

February 2002

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1. INTRODUCTION

The aim of this Guidance is to assist Designated Teachers, Headteachers and other school staff and governors in dealing appropriately with matters relating to Child Protection.

Designated Teachers have a duty to refer any disclosure or suspected abuse to Social Services.

"Where a person has reasonable cause to suspect that a child is suffering or is at risk of suffering significant harm or otherwise believed to be a child in need, she/he should record the concerns and refer the matter to Buckinghamshire Social Services"
- section 3.32 Buckinghamshire Area Child Protection Committee Multi-Agency Code of Practice 2001.

The Children Act 1989 defines abuse as when a child is suffering or is likely to suffer 'significant harm'. Harm means ill treatment or the impairment of health or development. For the purpose of the Child Protection Register, four categories of abuse are identified:-

- ◆ Neglect
- ◆ Physical Injury
- ◆ Sexual Abuse
- ◆ Emotional Abuse

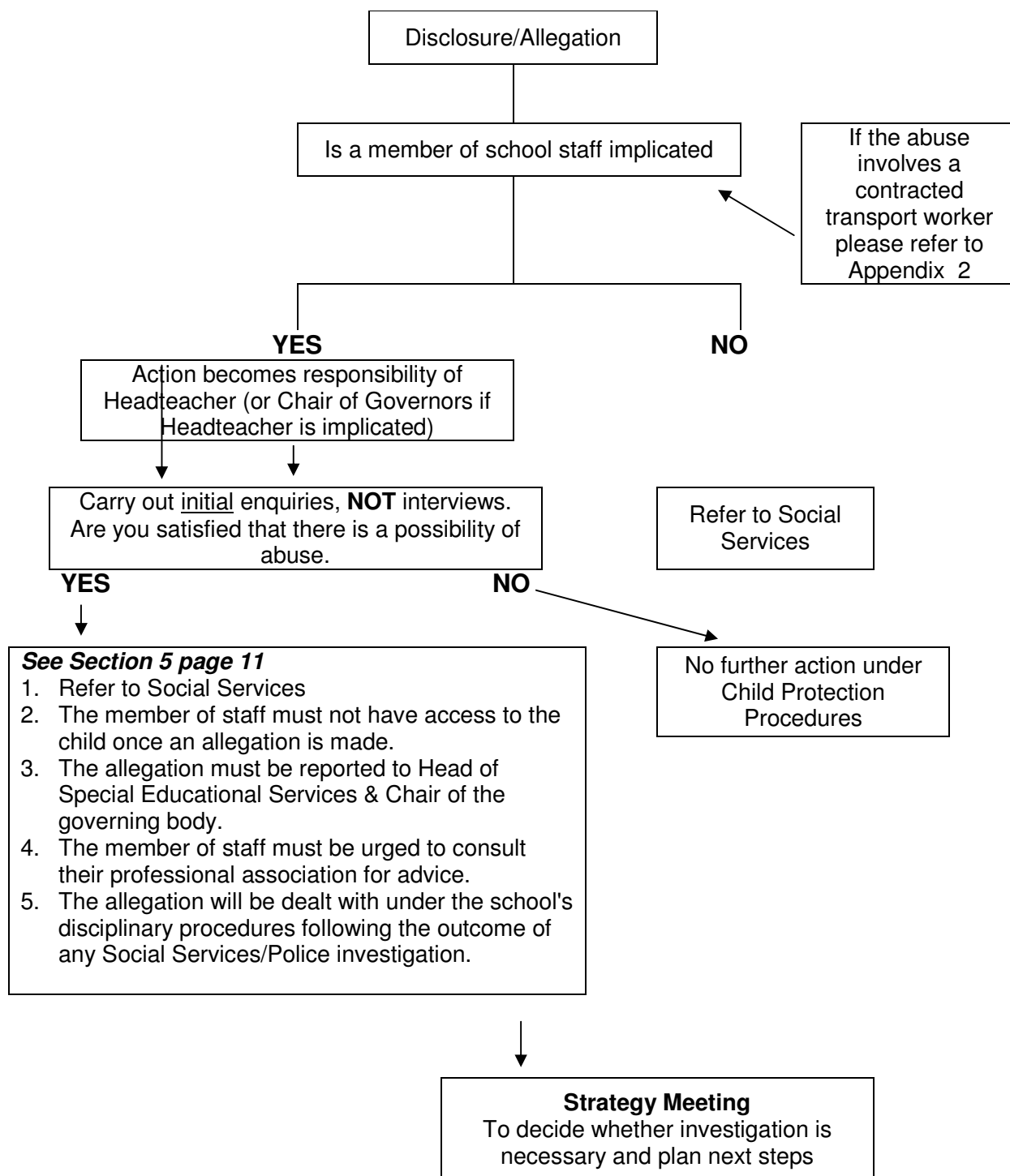
It is likely that there will be an element of emotional abuse in all other forms of abuse, however, a child will only be registered in this category if it is the most significant form of abuse.

Children may be more vulnerable to abuse where the quality of parenting is impaired by factors such as:

- ◆ Domestic Violence
- ◆ Drug or Alcohol Abuse
- ◆ Mental or Physical Health Problems
- ◆ Stressful factors impinging on the family

2. CHILD PROTECTION REFERRAL PROCESS

Referrals to relevant services should take place as soon as possible following disclosure/allegation. It is expected that this will be on the same day.



3. INDICATORS OF CHILD ABUSE

Physical:

It is important that a professional who sees an injury on a child takes careful note of how the injury allegedly happened, including the informant, the date, time, place, sequence of events, nature of injury, etc. the assessment of the plausibility of the explanation should be a medical judgement - other professionals should not make this decision.

Although children do have a variety of accidents, the most common types of injury they sustain are usually different from the injuries caused by abuse.

The following situations, in cases of physical injury, should cause concern about the possibility of physical abuse:

- ◆ No explanation
- ◆ Inappropriate explanation, description of a minor accident with a major injury
- ◆ Different explanations given to different enquiries
- ◆ Parents touchy or defensive, compared with genuine accidents when parents are usually distressed and blame themselves
- ◆ Delay in seeking treatment
- ◆ Child states that a particular adult hurt him or one parent accuses another

The following injuries should cause concern about the possibility of physical abuse because they are classic sites, or fit recognisable patterns (e.g. human hand marks, human bite marks).

GENERAL:

Multiple injuries of various types and ages.

BRUISING AND SKIN MARKS

1. Black eyes - these cannot be caused by a fall on a flat surface - two black eyes are particularly suspect, especially if the lids are swollen and tender or there is no bruise on the nose or forehead.

2. Bruised ears, sometimes with bleeding from the ear canal from a ruptured ear drum.
3. Bruises of upper lip, torn frenulum of upper lip and injuries under the tongue.
4. Bruising around the mouth or chin - may have finger bruises, up to three or four on one side and one on the other.
5. Flat hand marks, particularly on cheeks, buttocks and lateral thighs.
6. Bruises on scalp and 'bald patches'.
7. Finger bruises on shoulders, upper arms or on the trunk or legs of babies.
8. Linear marks or bruises - often seen on buttocks or backs of thighs.
9. Bruise of weals curving around the body. Sometimes buckle or loop marks noted.
10. Bizarre shaped bruises with sharp borders, e.g. from hair brush, comb or slipper.
11. Bruises on abdomen - unlikely to be accidental.
12. Ligature and choke marks - red mark or bruising around wrist, ankles or neck (in the latter area may be due to sudden pulls on tee shirt).
13. Bite mark - two crescent shaped marks or bruises - if more than 3 cm apart they may be caused by an adult or older child.
14. Human nail marks - these show piled up skin at end of marks and are unlike abrasion from falls on rough surfaces or may just be linear bruises.

BURNS

1. Scalds - glove or stocking scalds to hands and/or feet caused by dunking in water.
2. Scalded buttocks - children cannot scald their buttocks accidentally without also scalding their feet and legs.
3. Splash marks - look at directions of splash to see if it is compatible with story or might indicate hot liquid being thrown at child.
4. Cigarette burns - small circular burns most typically on the back of hands or forearms, seen in clusters and often of different ages.
5. Contact burns - child held against heaters, irons, cookers - well demarcated burn following contours of hot objects.

BONE AND JOINT INJURIES

These can be caused by direct blows, twists (from swinging a child round by one limb) or from being thrown against hard objects.

POISONING

Non-accidental poison should be suspected in bizarre episodes of ill health and unconsciousness or when poisoning involves more than one child.

OTHER INJURIES

Certain injuries may only be detected on special examination by doctors.

Sexual:

Children of all ages, boys and girls, can be sexually abused.

This abuse often comes to light in a veiled way because children are reluctant to tell and many kinds of sexual abuse do not leave any signs of physical injury.

Children may try to tell others that they are being sexually abused. They may do this by hinting in words, play or drawings of sexual activities to 'test the water'. If the adult response is emphatic they may wish to reveal more but if the response is angry or evasive, they may remain silent and not try again.

If a child exhibits several signs of types of behaviour as listed below, or a pattern emerges of when or how a child exhibits such signs, the possibility of sexual abuse should be considered. But it must be emphasised that the following behaviours are descriptions of some very common conditions of childhood which indicate the child is distressed, but only rarely will it be caused by sexual abuse.

1. Sudden change in mood or behaviour
2. Changes in eating patterns: loss of appetite, faddiness or excessive preoccupation with food
3. Severe sleep disturbance with fears, vivid dreams or nightmares, sometimes with overt or veiled sexual content.
4. Withdrawal and depression, learning failure, mutism, self-injury, suicidal attempts
5. Temper, aggression, disobedience and attention-seeking, anxiety or restless behaviour.
6. Lack of trust in familiar adults.
7. Girl takes over the 'mothering role' in the family whether or not the mother is present.
8. Absconding, requests to leave home.

Sexualised conduct or inappropriate sexual knowledge in children may be due to direct sexual abuse or observing others or watching pornographic videos including the Internet. The following are possible indications of sexual abuse:

1. Continual open masturbation, aggressive, inappropriate and explicit drawing and sex play (masturbation and some exploration are a normal part of growing up but it is the type and persistence of these activities that cause concern)
2. Precocious knowledge of adult sexual behaviour.
3. A boy or girl behaves in a sexually precocious way.
4. Inappropriate displays of affection between parent and child behaving more like lovers.
5. Marked fear of men. (Women can also abuse children sexually but this may manifest itself in a different manner.)
6. Fear of undressing.

Some physical conditions may also be indicators of sexual abuse, but not necessarily so.

1. Difficulty in walking or sitting.
2. Pain in passing water.
3. Recurrent urine infections.
4. Soiling.
5. Recurring bedwetting.
6. Psychosomatic problems such as recurrent tummy ache or headache.

Neglect and/or Emotional:

Neglect and emotional abuse occur when a child's need for security, love, praise and recognition are left unmet. Basic needs such as food, drink and warmth may not be provided. Slower growth without a medical cause may indicate emotional abuse and occurs even when a child is not deprived of food. However, the weight may remain appropriate for the height but disproportionate for age.

There is often a dramatic increase in growth following the removal of an abused child from home.

4. REACTING TO A DISCLOSURE

The following guidance is provided to assist any staff who, in the course of working directly with a child or young person, receives a disclosure of child abuse. Children will choose an adult to talk to, who they feel they can trust. This could equally be a teacher, volunteer helper, learning support assistant, driver, etc. It is therefore important that all staff are prepared and trained.

For staff who are themselves survivors of abuse receiving a disclosure can be particularly distressing. It is important to put aside ones own feeling.

i) Receive

- ◆ Listen to what is being said, without displaying shock and disbelief
- ◆ Accept what is said
- ◆ Take Notes

ii) Reassure

- ◆ **Reassure** the pupil, but only so far as is honest and reliable, for example, don't make promises you may not be able to keep, like "I'll stay with you" or "Everything will be all right now".
- ◆ **Don't** promise confidentiality; you have a duty to refer.
- ◆ **Do** reassure and alleviate guilt, if the pupil refers to it. For example, you could say;
"You're not to blame."
"You're not alone, you're not the only one this sort of thing has happened to."

iii) React

- ◆ React to the pupil only as far as it is necessary for you to establish whether or not you need to refer this matter, but don't 'interrogate' for full details.
- ◆ **Do not ask** 'leading' questions, for example, "What did she/he do next?" (this assumes he did!), or, "did she/he touch your private parts" The child may well have to tell the story again, and to do so repeatedly will cause undue stress. In the cases where criminal proceedings occur, such questioning can cause evidence to become invalid.
- ◆ **Do** ask open questions, like "Anything else to tell me?", "Yes?", "And?".

Allow the pupil to tell their own story. Research has shown this initial disclosure can be the best therapy if they are able to 'talk it out'.

- ◆ Do not criticise the alleged abuser, the pupil may love him/her, and reconciliation may be possible. Do not ask the pupil to repeat it all for another member of staff.
- ◆ Follow school procedures.
- ◆ Explain what you have to do next and to whom you have to talk.
- ◆ Try to see the matter through yourself and keep in touch with the pupil.
- ◆ Ensure that if a Social Services interview is to follow, that the pupil has a 'support person' present if the pupil wishes it (ideally the person to whom they disclosed).

5. ALLEGATION OF CHILD ABUSE MADE AGAINST A MEMBER OF STAFF.

1. Carry out initial enquiries - *for example, you would need to confirm that it was possible for the alleged abuse to have taken place: Did the teacher have access to the pupil at that time? Was the pupil in school on the day the alleged abuse took place?.*
2. The member of staff must not have access to the child once an allegation is made.
3. The allegation must be reported immediately to Head of Special Educational Services, Chair of the Governing Body and Social Services. *Pupil Support will be able to offer further advice and support if you are unsure of the next step. Advice can also be sought from the Duty Manager Children & Families Team.*
4. Advise the member of staff to consult their professional association for advice. *However, it may be appropriate not to inform the teacher that allegations have been made. This advice may therefore have to be withheld pending initial advice from Police/Social Services. You should, however, offer this advice as soon as it is possible to do so.*
5. The allegation will be dealt with under the disciplinary procedures following the outcome of Social Services/Police investigation and procedures. *Advice on handling disciplinary procedures can be obtained from Human Resources. As well as advice and support for the Headteacher, Human Resources will also be able to offer an additional named person to support the teacher throughout the process.*

6. ALLEGATION OF CHILD ABUSE MADE AGAINST A HEADTEACHER

When allegations are made against a Headteacher responsibility to act falls to the Chair of Governors.

Advice and support can be obtained from Pupil Support, and Human Resources, to carry out the appropriate action.

Initial enquiries will need to be made to ascertain whether the alleged abuse could have taken place, but not to interview the pupil or Head.

The process to be followed when a Headteacher is involved is as in Section 5 (p.11) but the Chair of Governors is responsible for ensuring that the process is followed.

7. ROLE OF REGIONAL INVESTIGATION & REFERRAL SUPPORT CO-ORDINATOR

Buckinghamshire is hosting this new post on behalf of the LEA's in Berkshire, Oxfordshire and Buckinghamshire, including Milton Keynes.

The Co-Ordinator will be part of a national network looking at how to minimise delay in reaching decisions when allegations are made against school staff. They will have a strategic policy role, as well as providing information and guidance in individual cases.

8. RECORDING INFORMATION

Under certain circumstances, where a criminal offence may have taken place, records could be used as evidence in court, therefore, the following guidelines should always be followed:

1. In the event of a disclosure make a report of anything said at the time, recording the exact words used by the child to indicate parts of the body, rather than substituting adult words.
2. When concerns are raised about a child, record the time, date and place where signs are noticed or reported and pass them to the Designated Teacher or your appropriate line manager. Make a note of any accompanying non-verbal behaviour occurring at the time and also the way the information was imparted. There will be cases where records may well have to be kept over a period of weeks or months, as appropriate.

Record statements and observe things rather than give interpretations.

Record discussions with parents and reactions of the parents to the child.

A record of all communications, oral or written, with school staff and outside agencies concerning possible abuse and any subsequent actions should be kept. In the case of schools, the Designated Teacher would be responsible for this.

3. Child Protection records should not be kept in a child's general school file. They should be kept separately by the Designated Teacher, in a locked cabinet.

9. REFERRAL PROCESS

The Role of the Social Services – Children & Families Service

It is the statutory duty of Social Services to decide whether to investigate allegations of Child Abuse.

Referrals will be made to the Social Services Team for the area in which the child is resident.

When referral follows a disclosure or allegation, this should take place as soon as possible the same day.

The Social Services Duty Officer will then give advice on when to make contact with the parents. **It is vital at this stage that the recommendation of the Social Worker is taken.** There is a need to work in partnership with parents but in this initial instance an investigation can be hindered and/or evidence corrupted by parental involvement at the wrong time.

Subsequent to the investigation, a Child Protection Conference may be called to consider whether the child's name should be entered onto the Child Protection Register. If registered, a Child Protection Plan will be drawn up. The Social Worker will convene a Core Group on a regular basis to carry out the plan.

The Social Worker allocated to the case is the 'Keyworker' who is responsible as the named contact person to the school for that child.

Social Services are responsible for informing the school that a child is on the Child Protection Register, including when a child moves to a new school

Schools and Education Welfare Officers may expect to be contacted by Social Services as part of any initial investigations into allegations of abuse. When a Child Protection Conference is called, Social Services will invite the school, the Education Welfare Officer and other relevant agencies to attend.

Where criminal proceedings are possible, the Police will take the lead role on the strategies to be used in the investigation.

Child Protection investigations by the Police are the responsibility of the Family Protection Unit based at Marlow. Following a Child Protection referral, the Social Services Department will liaise with the local Family Protection Unit regarding alleged incidents of abuse according to an agreed Protocol.

NB *Allegations involving school staff see Flow Chart p.4.*
Allegations Involving Contracted Transport Workers see Appendix 2

Child Protection Case Conferences

The function of a C.P.C.C. is:

- i) Share and evaluate the information gathered during the investigation (and any other relevant background information).
- ii) To decide whether the criteria for registration are met.
- iii) To identify a core group.
- iv) To make plans for the future projection of the child(ren).

Wherever possible, those Education staff who are working with the child or family should attend the Child Protection Case Conference. A written report should be available to the Conference, particularly if you are not able to attend. Copies should be provided for all those at the Conference. Further information is available from Buckinghamshire County Child Protection Committee "Working Together" or from the Education Welfare Service.

Core Groups

If the Conference decision is to place the child(ren) on the Child Protection Register a Core Group will be formed. Membership of the Core Group, who will be responsible for ensuring the implementation of the Child Protection Plan, will be decided at the end of the Child Protection Case Conference if the child's name is placed on the Child Protection Register. The Core Group will be responsible for carrying out the Child Protection Plan. It is often appropriate for Education staff to be included. This group should meet regularly, as arranged by the Social Worker who will be the Keyworker.

10. FREQUENTLY ASKED QUESTIONS

1. When should school speak to parents about their concerns?

1a) Neglect

When schools have concerns about a child in terms of issues of neglect, they should speak to parents at the earliest opportunity. Such conversations should be centred on your concern for the child and wish to be supportive in a non-blaming way. If parents are not prepared to be engaged and discuss these issues you may need to advise them that you have a duty to inform Social Services.

1b) Physical/Sexual Abuse

When concerns regard sexual/physical abuse which may be a criminal matter **always** follow the advice of the Social Services.

2. What if a child doesn't want their disclosure to be reported?

It is your duty to report any disclosure and it is important to be honest with the child. If possible let them know that you must pass on any information which is about them being harmed in some way **before** they disclose. If this is not possible be clear about who you will tell and what you will tell after the disclosure has taken place.

3. If an employee or volunteer is implicated in alleged abuse then this is both a disciplinary issue and a child protection issue. Which procedure should take priority?

Child protection should always take priority where there is any reasonable suspicion that child abuse has taken place. There are situations in which the two procedures may be in conflict. An inter-agency approach is therefore essential. However, we must also recognise the Headteacher's responsibility for taking disciplinary action under the school's procedures and ensure that he or she is supported in the management of these aspects of the case. In the case of a Headteacher being implicated this responsibility falls to the Chair of Governors.

4. What investigations should take place within the school?

Normally the first requirement in dealing properly with a disciplinary matter is to carry out a full investigation into the allegations and collect relevant evidence, statements, etc. **However, this approach has to be modified in case of alleged child abuse.** It is appropriate to undertake preliminary enquiries simply to ascertain whether there is any case to answer. This is a matter for the Headteacher to pursue, with appropriate advice from Pupil Support. There must be no attempt to conduct interviews with the teacher or the pupil at this

stage. The normal process of urgent referral to Social Services must be done first and there should be joint discussion of the strategy for fuller investigation. Remember that Child Protection interviewing is a skilled process and should be carried out by the appropriately trained people, normally in Social Services or the Police. If the Headteacher attempts to interview the child, for example, he/she will then need to be interviewed for a second time by the Child Protection team. In relation to the member of staff, it may be necessary for other investigations to take place before the teacher is even made aware of the allegations. This may not seem like 'natural justice' but may be essential in specific circumstances.

5. Should the teacher be suspended?

Not immediately. Suspension should be considered and advice provided to the Headteacher at the Strategy Meeting as part of an inter-agency approach. As outlined above, there are circumstances when it is better that the teacher is not made aware of the allegations until some investigation has taken place by the Child Protection Team. To notify the teacher in advance could damage the investigation. However, please remember that the decision to suspend does not rest with other agencies. The final decision rests with the Headteacher or, in the case of an allegation against the Headteacher, the Chair or Governors. Advice on the appropriateness and timing of any suspension can be obtained from Human Resources.

6. If the teacher is suspended, what support, if any, should be provided to him in this situation?

Remember that suspension is a neutral act. It does not assume innocence or guilt. It is there to protect both the school and the individual. It is also a very stressful experience for the teacher concerned. It is important therefore that contact is maintained with the teacher through a nominated person, usually from Human Resources, and that information is provided on progress as far as is possible. The nominated person should have no involvement in the case under investigation. If the teacher is reintroduced to the school at a later date, this process will also need careful planning and thought.

7. What should be done if Social Services determine that they can take no further action on the case and the police do not have evidence to prosecute?

It is important to remember that the agencies work to different rules and tests of evidence. Social Services may not be able to proceed, for example, if there is a lack of evidence or if there is no sustainable complaint from the pupil. The police cannot pursue a prosecution unless they can prove, beyond reasonable

doubt, that a criminal offence has been committed. If they do not proceed, it is then for the school to carry out its own investigation to determine whether there is a disciplinary case to answer. This relies on a different burden of proof, i.e. the balance of probability. An internal investigation may be able to access information collected by the other agencies. It will be necessary to interview the teacher and reach a conclusion about whether there is a disciplinary case to answer.

8. Where can relevant advice be obtained on the handling of allegations against a member of staff?

As well as the normal referral route to Social Services on child protection issues, it is essential that you seek advice from Pupil Support and Human Resources. Every case is unique and specific advice will be required. Child protection cases are probably the most complex disciplinary cases and perhaps the easiest to get wrong. Failure to follow the correct procedures could restrict the school's ability to act appropriately against a teacher who may have committed a disciplinary offence.

11. THE USE OF FORCE TO CONTROL OR RESTRAIN PUPILS

See DfES Circular Number 10/98: Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils. This clarifies the position about the use of physical force by teachers and other staff who have lawful control or charge of pupils.

It restates principles derived from common law and statute, which have in the past been misunderstood and states that necessary "reasonable force" can be used to control or restrain pupils to prevent them committing a crime causing injury or damage; or causing disruption.

Buckinghamshire County Council promotes positive handling strategies within a whole school approach to behaviour management. The LEA has adopted as a matter of policy the Team Teach approach as its preferred strategy and has formally recommended this to all governing bodies.

In support of this, the LEA has established a core team of trainers who are available to provide Team Teach training to schools.

For further information contact the SEN Adviser.

12. TRAINING

All staff who work directly with children, or who supervise those working with children, should be trained in recognition and referral of child abuse. Training should be regularly updated.

The Education Welfare Service provides training as requested by individual services and schools, adapted to particular needs. These are:

Basic Awareness

- ◆ Legislation that informs practice
- ◆ The signs and symptoms children may display if they are abused
- ◆ The process from referral through investigation to Child Protection Conference and beyond

Training for Designated Teachers

It is an expectation that designated teachers attend training. This is offered at dates throughout the academic year for those new to the role or who wish to update their knowledge.

Training for Newly Qualified Teachers

This is training in Basic Awareness of Child Protection Matters.

Inset Training

A more in-depth framework of Child Protection training with the opportunity to consider points such as "what is abuse?" "what behavioural and physical signs do abused children display?", etc.

Any enquiries about training for schools, teachers and other education staff should be addressed to the Education Welfare Service Senior Practitioner responsible for Child Protection.

Multi-Agency Training

The LEA also contributes to the provision of Multi-Agency Training. This training provides a context and understanding of how Child Abuse is an issue for all professionals who work with children and explores the frustrations, difficulties and

reasons why Child Protection is so difficult and requires a response from all agencies.

Training is facilitated by an Inter-Agency pool of experienced practitioners who act as facilitators for the courses.

Courses offered include:

- ◆ Working together in Child Protection (3-day essential training for designated teachers)
- ◆ A variety of specialist courses open to any staff who have a particular responsibility/concern in their school
 - Domestic Violence and Child Protection
 - Working with Challenging Families
 - Emotional Abuse
 - Neglect

Details of the course programme are distributed throughout the Education Service and to all schools. Any queries or requests for places may be sent to the Course Administrator, Inter-Agency Training in Child Protection 01296 387915 (Julie Marshall)

The Area Child Protection Committee provides these Multi-Agency Courses free of charge.

13. RECRUITING STAFF

In line with the recommendations in the 1992 Warner Report, Buckinghamshire County Council is actively promoting a safe and secure environment in which the children it serves can feel protected and free from abuse or exploitation.

The County Council therefore offers specific training in conducting formal Warner Personal Interviews in the form of a two-day course. This is a rigorous recruitment process which involves the detailed checking of information given by candidates on application forms and a personal interview process which concentrates on the personal qualities and strengths needed to undertake duties involving the care of children. The Warner Personal Interview is structured in a way which ensures that the candidate can maintain appropriate professional and personal boundaries in relation to the job through the use of personal and probing questions.

Those involved in the appointment of staff to posts where the care of children is a key part of their role are recommended to use this process. If it is decided to use this process, recruiters should first arrange to attend the relevant training and applicants should be provided with information about the process at the application stage.

CONTACT SHEET

TEL/FAX Nos.

Education Welfare Service - North

County Hall
Aylesbury
Bucks HP20 1UZ

Tel: 01296 381431
Fax: 01296 381432

Education Welfare Service - South

Council Offices
King George V Road
Amersham
Bucks

Tel: 01494 732116
Fax: 01494 732146

Social Services:

Duty - Amersham	01494 729000
Duty - High Wycombe	01494 475000
Duty - Aylesbury	01296 395000

SEN Adviser

Alan Radford

01296 382448

Head of Special Educational Services

Jeff Frank

01296 383340

Assistant Education Officers

Alison Baker	01296 382668
Christine Lofthouse	01296 383905
Marian Morgan	01296 383055
Andrea Smith	01296 382044
Mark Smith	01296 382674
Janet Sparrow	01296 382872

Human Resources

Sue Oswell	01296 382760
Louise Chatterley	01296 382593
Michelle Higgs	01296 382570

Inter-Agency Training

Julie Marshall

01296 387915

**The school's representative on the (Area Child Protection Committee)
A.C.P.C. is: Vacancy**

BIBLIOGRAPHY

- ACPC Buckinghamshire Area Child Protection Committee Multi Agency
Child Protection Code of Practice 2001
- DfES Circular 10/95