



CARGILFIELD

Child Protection and Safeguarding Policies

Safeguarding Team

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Published: August 2021

Reviewed: December 2022

Reviewed: March 2023

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SECTION 1 – CHILD PROTECTION POLICY

CHILD PROTECTION POLICY

Cargilfield takes very seriously its duty to provide a secure and safe environment for all children, where they feel valued, respected and listened to. It is always unacceptable for any child to experience abuse and we recognise the importance and responsibility that we have to safeguard the welfare of all our children by following all our various policies.

1. Introduction

Why do we need a Child Protection Policy?

The Cargilfield Child Protection policy aims to support the Headmaster, Governors, teaching and support staff working in the school in their task of protecting specific children who are suffering or are likely to suffer significant harm.

It aims to provide protection for the children at Cargilfield and provide the staff with guidance on the procedures they should adopt if they suspect a child is at risk of harm. It applies to all staff, regardless of seniority or contracted hours.

The staff at Cargilfield, because of their day to day contact with children, are well placed to observe the outward signs of abuse. Providing a caring, safe and positive environment for all children is our aim so that our pupils can feel secure, are encouraged to talk and are listened to.

Child Protection forms part of the school's safeguarding responsibilities and Mr Andrew McGregor is the member of the Cargilfield governing body with responsibility for safeguarding.

Mrs Emma Buchanan is responsible for the child protection policy and is supported by Mr Will Stephen and Mr Lindsay Kerr.

Safeguarding is the policies and practices that schools and Governing bodies employ to keep children safe and promote their well-being. This means everything from security of the buildings, to the safe recruitment of staff and everything in between.



Child protection is means protecting a child from child abuse or neglect. **Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a *likelihood* or *risk* of significant harm from abuse or neglect.**

This policy will be reviewed annually.

Core principles, values and shared standards of practice form the foundation for effective, collaborative child protection practice. While different agencies will have differing codes of practice and responsibilities, a shared approach to values and standards will bring clarity and purpose to single agency, multi-agency and interagency working. The fundamental principles that underpin all the documents and approaches that relate to child protection, namely GIRFEC; The UN Convention on the Rights of the Child (see appendix 1); The Children's Charter and The Framework for Standards represent an overlapping set of values.

Procedures and guidance cannot in themselves protect children: a competent, skilled and confident workforce, together with a vigilant public, can. Child protection is a complex system requiring the interaction of services, the public, children and families. For the system to work effectively, it is essential that everyone understands the contribution they can make and how those contributions work together to provide the best outcomes for children. Education staff are uniquely placed as there are opportunities within the context of school life for identifying concerns that a pupil may be being abused or is at risk of harm which could otherwise pass unnoticed. For advantage to be taken of these opportunities there is a need for all staff to be trained and know what actions to take when they are concerned about a child.

Education Scotland and the Care Inspectorate undertake a programme of inspections to determine whether children's wellbeing is adequately safeguarded, particularly in schools with residential provision. All adults who have the charge or care of children have a responsibility to ensure that the children in their care are not harmed. This applies to all staff in schools generally, but with added force to schools with a boarding facility.

Pupils at Cargilfield are informed that it is legitimate for them to raise with staff concerns about their own protection and wellbeing. Parents are advised that it is legitimate for them to express concerns to the Headmaster and DSL (Emma Buchanan), or a member of the Board of Governors if they feel that a child may be being abused or is at risk of harm.

All staff are required to regularly review the CP and Safeguarding policies, and when the policies are updated, to read and sign the Cargilfield Code of Conduct which confirms they have read and understood and will adhere to the policies and procedures laid down. New staff are required to do this as part of the recruitment process.

Principles of Child Protection

- Child protection is everyone's responsibility.
- Staff will work in partnership with parents/carers to promote the wellbeing, health and development of children and young people.
- All children and young people whatever their age, culture, religion, disability, gender, language, sexual orientation, gender, reassignment, religion or belief have a right to protection.
- All staff will make sure their approach is child centred. This means they should consider at all times what is in the best interests of the child.
- Children and young people should be respected, listened to, and where there are concerns, staff must take the matter seriously on the day and also report on the day.
- Children and young people have the right to express their views on all matters which affect them should they wish to do so.
- Inter-agency communication, information sharing and partnership working is essential to ensure best outcomes for children. Cargilfield will work with social work (children and families), the police, health services and other agencies to promote the wellbeing and protection of children and young people

and protect them from harm. This includes providing a coordinated approach to early intervention when additional needs of children are identified and contributing to inter-agency plans to provide support to children subject to child protection plans.

2. WHAT IS CHILD ABUSE AND CHILD NEGLECT?

2.1 Definition

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. Assessments will need to consider whether abuse has occurred or is likely to occur.

The following definitions show some of the ways in which abuse may be experienced by a child but are not exhaustive, as the individual circumstances of abuse will vary from child to child.

2.1.1 Physical Abuse

Physical abuse is the causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after.

The Law and Parental Chastisement

The Criminal Justice (Scotland) Act 2003 clarifies that a person may claim that an act was physical punishment carried out in exercise of a parental responsibility or of a right derived from having charge or care of the child. Courts will need to consider:

- the nature of what was done, the reason for it and the circumstances in which it took place
- its duration and frequency
- any effect whether physical or mental which it has been shown to have had on the child
- the child's age
- the child's personal characteristics including sex and state of health at the time
- the intent of the parent or carer

The court must then determine that it was not something that even as part of a parental right or responsibility could be determined to be a justifiable assault.

If a parent or carer physically punishes or disciplines their child they can be prosecuted with assault. Under the current law, depending on what happened, the defence of 'reasonable chastisement' may be available to them. Physical punishment or physical discipline can take many forms, including smacking, skelping, spanking and slapping. The Children (Equal Protection from Assault) (Scotland) Act 2019 changed the law and removed the "reasonable chastisement" defence from 7 November 2020. This means that all forms of physical punishment of children will be against the law in Scotland, and children will have with the same legal protection from assault as adults. The Act does not introduce a new offence. It just removes a defence to the existing offence of assault.

2.1.2 Emotional Abuse

Emotional abuse is persistent emotional neglect or ill treatment that has severe and persistent adverse effects on a child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may involve the imposition of age- or developmentally-inappropriate expectations on a child. It may involve causing children to feel frightened or in danger, or exploiting or corrupting children. Some level of emotional abuse is present in all types of ill-treatment of a child; it can also occur independently of other forms of abuse.

2.1.3 Sexual Abuse

Sexual abuse is any act that involves the child in any activity for the sexual gratification of another person, whether or not it is claimed that the child consented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or in watching sexual activities, using sexual language towards a child or encouraging children to behave in sexually inappropriate ways.

Keeping Children Safe: Information Disclosure about Child Sexual Offenders

The above Scheme enables parents, carers or guardians of children under 18 years old to make a formal request for the disclosure of information about a named person who may have contact with their child if they are concerned that he or she might be a registered child sexual offender e.g. if a single mother wants to find out more about her new boyfriend.

It does not replace checks completed by Disclosure Scotland.

2.1.4 Child Sexual Exploitation (CSE)

CSE has two distinctive characteristics – exploitation and exchange. CSE is the sexual exploitation of children and young people under the age of 18 and may involve a child or young person being enticed, coerced, manipulated, forced or deceived into performing and/or allowing others to perform on them, sexual acts in exchange for some form of material goods e.g. money, gifts, affection. (see section 5 for separate policy)

2.1.5 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or to ensure access to appropriate medical care or treatment. It may also include neglect of, or failure to respond to, a child's basic emotional needs. Neglect may also result in the child being diagnosed as suffering from non-organic failure to thrive where they have significantly failed to reach normal weight and growth or development milestones, and where physical and genetic reasons have been medically eliminated.

In its extreme form, children can be at serious risk from the effects of malnutrition, lack of nurturing and stimulation. This can lead to serious long-term effects such as greater susceptibility to serious childhood illnesses and reduction in potential stature. With young children in particular, the consequences may be life-threatening within a relatively short period of time.

Recent research explored issues that arise for social workers around discovering and confronting parental neglect in affluent families. Some key messages from the research were:

- The vast majority of the cases described by the participants concerned emotional neglect, although other forms of maltreatment, such as sexual abuse and child sexual exploitation were also identified.
- Commonly encountered cases involved struggling teenagers in private fee-paying and boarding schools, who were often isolated from their parents physically and emotionally and had complex safeguarding needs.
- All of the participants described difficulties in maintaining focus on the child because of the way that parents used their status and social capital to resist child protection intervention and many also displayed a sense of entitlement to do as they pleased and that they know best.
- Participants consistently cited that highly resistant parents were more likely to use legal advocates or the complaints procedure to challenge social workers. All of the participants also experienced the challenges of interagency working with private fee-paying and boarding schools when child protection concerns were raised.

2.2 What is Child Protection?

‘Child protection’ means protecting a child from child abuse or neglect. **Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a *likelihood* or *risk* of significant harm from abuse or neglect.**

Equally, in instances where a child may have been abused or neglected but the risk of future abuse has not been identified, the child and their family may require support and recovery services but not a Child Protection Plan. In such cases, an investigation may still be necessary to determine whether a criminal investigation is needed and to inform an assessment that a Child Protection Plan is not required.

There are also circumstances where, although abuse has taken place, formal child protection procedures are not required. For example, the child’s family may take protective action by removing the child from the source of risk. Children who are abused by strangers would not necessarily require a Child Protection Plan unless the abuse occurred in circumstances resulting from a failure in familial responsibility. For example, if a young child is abused by a stranger, a Child Protection Plan may be required only if the family were in some way responsible for the abuse occurring in the first instance or were unable to protect adequately the child in the future without the support of a Child Protection Plan.

2.3 What is Harm and Significant Harm in a Child Protection Context?

‘Harm’ means the ill treatment or the impairment of the health or development of the child, including, for example, impairment suffered as a result of seeing or hearing the ill treatment of another. In this context, ‘development’ can mean physical, intellectual, emotional, social or behavioural development and ‘health’ can mean physical or mental health. Whether the harm suffered, or likely to be suffered, by a child or young person is ‘significant’ is determined by comparing the child’s health and development with what might be reasonably expected of a similar child.

Child protection is closely linked to the risk of significant harm. ‘Significant harm’ is a complex matter and subject to professional judgement based on a multi-agency assessment of the circumstances of the child and their family. Where there are concerns about harm, abuse or neglect, these must be shared with the relevant agencies so that they can decide together whether the harm is, or is likely to be, significant.

Significant harm can result from a specific incident, a series of incidents or an accumulation of concerns over a period of time. It is essential that when considering the presence or likelihood of significant harm that the impact (or potential impact) on the child takes priority and not simply the alleged abusive behaviour.

There are no absolute criteria for judging what constitutes significant harm. Sometimes, a single traumatic event may constitute significant harm; more often, significant harm results from an accumulation of significant events, both acute and long standing that interrupt, change or damage the child's physical and psychological development.

To understand and identify significant harm, it is necessary to consider:

- The nature of harm, either through an act of commission or omission.
- The impact on the child's health and development, taking into account their age and stage of development.
- The child's development within the context of their family and wider environment.
- The context in which a harmful incident or behaviour occurred.
- Any particular needs, such as a medical condition, communication impairment or disability, that may affect the child's development, make them more vulnerable to harm or influence the level and type of care provided by the family.
- The capacity of parents or carers to meet adequately the child's needs.
- The wider and environmental family context.

The reactions, perceptions, wishes and feelings of the child must also be considered, with account taken of their age and level of understanding. This will depend on effective communication, including with those children who find communication difficult because of their age, impairment or particular psychological or social situation. It is important to observe what children say as well as to bear in mind that children may have a strong desire to be loyal to their parents or carers who may also hold some power over them. Steps should be taken to ensure that any accounts of adverse experiences given by children are accurate and complete, and that they are recorded fully. Where a child is thought to be at risk of significant harm, the primary concern will be for their safety.

3. CARGILFIELD: ROLES AND RESPONSIBILITIES FOR CHILD PROTECTION

All staff at Cargilfield have a duty to safeguard and promote the wellbeing of pupils and to protect them from harm.

3.1 Boarders

For those who board the School ensures that:

- Pupils are enabled to effectively sustain family contacts through a range of methods including e-technology and phone calls, thus reducing potential feelings of isolation.
- Accommodation arrangements, including toilets, showers, and sleeping facilities have regard for pupils' rights to dignity, privacy and personal space.
- Staff have in place good formal and informal methods of monitoring the wellbeing of the pupils in their care. Boarding staff meet weekly and the pupil boarding committee meet sporadically throughout the term. Additionally, annual questionnaires are conducted with pupils and there is an annual parental focus group.

- The boarding house has in place good monitoring procedures for pupils' eating and sleeping patterns to assist early identification of such difficulties as eating disorders or bullying. There is a regular member of staff at the breakfast tables and the matrons monitor what is being eaten at lunch and supper times.
- A policy is in place to regulate the access pupils have to mobile technology overnight. Mobile phones are available to boarders between 8pm-8.30pm for the girls and 8.30pm-9pm for the boys. This phone availability is monitored by those staff on duty and pupils are only allowed to call home. Please refer to Boarding Staff Policy.
- Activities with a strong group ethos, such as, pipe bands and sports teams, boarders evening and boarding weekends promote inclusion for all.
- Behaviour is carefully monitored and concerns are reported to the Headmaster and the pastoral committee. Decisions on what action will be taken is communicated to all staff through the pastoral minutes.

3.2 The Child Protection Co-ordinator (CPC)

Whilst all teaching and support staff who have contact with pupils have responsibilities towards them and receive relevant training in child protection, the wellbeing and protection of children and the efficient operation of Cargilfield's Child Protection procedures is the responsibility of Emma Buchanan, the DSL and the other members of the Safeguarding Team. They report directly to the Headmaster on all Child Protection matters.

3.3 Staff Training in Child Protection

At Cargilfield Child Protection training is mandatory for all teaching and non-teaching staff and governors. All staff are required to have annual child protection training to make them aware of risks to children and understand their particular responsibilities in keeping children safe. All new staff receive the Child Protection and Safeguarding Policies and undertake online training before starting at Cargilfield and are required to sign the Code of Conduct.

Staff are required to keep up to date with the Cargilfield policy on Child Protection. They are expected to know the procedures to follow when they are concerned about a child or when they are involved in child protection processes. They should be aware of whom they can seek advice from and should understand what, how and when to record and share information to keep children safe.

3.4 Code of Conduct for Staff: Guidance on interaction with Pupils

Staff interactions with pupils must be transparent and staff should always be wary of allowing situations to develop which could lead to allegations of impropriety.

4. CARGILFIELD: Procedures for responding to Child Protection concerns or incidents or allegations of abuse of children

4.1 Role of Cargilfield Staff

Cargilfield staff play a crucial role in the support and protection of children as well as the development of their wellbeing. Teachers and boarding staff have significant day-to-day contact with children and so are well placed to observe physical and psychological changes in a child that could indicate abuse and to contribute to the assessment of vulnerable children. School staff may be the first to be aware that families are experiencing difficulties in looking after their children. Staff should be alert to signs that a child may be being abused (see appendix 3).

All staff who work and/or come into contact with children and their families have a role to play in Child Protection. That role will range from identifying and sharing wellbeing and child protection concerns about a child, to making an active contribution to supporting the child and their family.

When a member of staff has reason to believe that a child's safety is compromised, or they are suffering or are likely to suffer significant harm, that member of staff must share these concerns with Emma Buchanan, DSL, or in her absence Will Stephen or Lindsay Kerr, DDSL, as soon as possible and certainly on the same day as the concern arises. They must complete an ISAMS form on line.

To do this, staff should log on to ISAMS, and go to Wellbeing Manager. In this area, they should "create a concern" and follow the steps on the form.

4.2 How Concerns may arise

Concerns about child abuse may arise in the following circumstances:

- A member of staff has concerns arising from observation of the child's behaviour or appearance, or comments the child has made.
- A child tells a member of staff they have been abused or feel unsafe.
- A third party expresses concerns to a member of staff: this could be another pupil, a parent or carer or member of the public.
- An anonymous allegation is received.
- Non-recent allegations of abuse (formally known as Historical Abuse). This is a separate policy in appendix 5.
- It is also possible that a school's co-operation may be sought in relation to a child abuse investigation which was initiated outside the school.

4.3 A Member of Staff has Concerns or a Child Tells of Abuse

The suspicions of a staff member may be aroused by the presence of indicators of possible abuse or by a feeling, based on knowledge of the child, that all is not well, or by a mixture of factors.

It may be appropriate for a member of staff to make an enquiry of a child about how an obvious injury was sustained, or why the child appears upset or distressed using **open-ended non leading questions**. For example: 'What happened?' 'Where did it happen?' 'When did it happen?' and 'Who did it?' If the child does not respond, the matter should not be pursued further, and advice should be sought. Contemporaneous notes should be made to ensure the accuracy of the final report.

Questioning and testing of evidence is not a matter for school staff, as this is the responsibility of the police and social work agencies. Such an approach by staff could prejudice later investigations. The role of school staff is to **recognise, respond, report and record**:

- **Recognise** when the child's behaviour and demeanour is a cause for concern.
- **Respond** by explaining what you are going to do next.
- **Report** their concerns as quickly as possible and on the same working day to Emma Buchanan, DSL or in her absence to Will Stephen or Lindsay Kerr, DDSL.
- **Record** in detail what they have seen and heard, and when they did so. Signs of physical injury should be described in detail. Any comment by the child concerned, or by an adult who might be the abuser, about how the injury occurred should be recorded, preferably quoting words actually used, as soon as possible after the comment has been made, and sign and date the report on the day.

Staff should:

1. Listen sympathetically and with care.
2. Reassure the child that he/she is not to blame.
3. Not show disbelief.
4. Not give a guarantee of confidentiality.
5. Take the allegation seriously.
6. Affirm the child's feelings as expressed (don't tell the child how he/she should feel).
7. Avoid being judgemental about the information given by the child.
8. Refer to Emma Buchanan, DSL, in accordance with school procedures.

If the child draws back from speaking to the staff member, the child should be informed of the possibility of making a private and confidential telephone call to ChildLine on 0800 1111. ChildLine's approach is to listen to the child, discuss options and encourage the child to seek help from a trusted adult. A member of staff who is concerned about a child in these circumstances should inform the Child Protection Co-ordinator that the child appears to have some concerns.

Where the concerns are expressed by another pupil, it should be remembered that reporting suspicions of abuse may be traumatic for that child and appropriate support should be provided.

Cargilfield works to prevent and respond to concerns about radicalisation and extremism. It also has a duty to report any cases of female genital mutilation (FGM) carried out to someone under the age of 18 to the police. See section 3 for this policy.

It is the responsibility of all staff to share information about the protection of children with the DSL. Information should only be shared about children and families in a professional context.

If a new child is on the Child Protection register then the DSL must obtain full information in advance of the child starting Cargilfield.

4.4 A Third Party Expresses Concern

Research suggests that some adults see schools as a preferred contact point if they have concerns about the wellbeing or safety of a child either in the school their child attends or at another school. Parents in conflict may also share concerns about their partner with school staff. In some circumstances, therefore, school staff will find themselves receiving external information that indicates possible child abuse. In these circumstances it is important that, as with children disclosing, staff listen carefully and sympathetically, treat the matter seriously and as soon as is practically possible on the day, report the information to the DSL and record the information on iSAMS.

As with a direct approach, a member of staff to whom a third party expresses concern should:

- **Recognise** that a concern is being raised and **respond** to the person expressing the concern.
- **Report** the matter to the DSL.
- **Record** in detail what they have seen and heard and when they did so. Actual words used should be quoted where possible. Record the behaviour and demeanour of the person expressing the concerns, where this is done in person.

Those expressing the concerns may seek from the staff member a guarantee of confidentiality or anonymity. No absolute guarantee of confidentiality can be given (see appendices 4-5). The information disclosed may be of such a nature that the staff member must pass it on in order to protect a child. Whilst it may be possible to a certain extent to protect the identity of the person expressing concerns, it will be easier to take action to protect the child if that person is willing to be identified. If legal proceedings follow, it may be necessary to disclose the identity of that person.

In all circumstances, the Safeguarding Team will ensure that the information is shared with other relevant agencies (health, police, Social Care Direct), so that an early assessment can be made of any potential/actual harm to the child and whether further child protection enquiries are necessary.

4.5 An Anonymous Allegation is received.

Staff in receipt of anonymous allegations about child abuse, whether that child is a pupil in the school or not, should:

- Report the matter to the DSL.

4.6 Action by Staff in Exceptional Cases

By law, any person with concerns about a child has a right to make a report direct to the Children's Reporter. In exceptional cases, where a member of staff feels that concerns about a child are not being taken seriously, or followed through appropriately or with sufficient speed, it is perfectly legitimate for that member of staff to refer the matter directly to the Chair of Governors or the Reporter.

4.7 Action by the Child Protection Co-ordinator (CPC)

All cases of alleged or suspected abuse will be treated seriously. Some may require an urgent response. If the DSL is certain, or has very good reason to suspect or believe that a child has been abused or requires protection or is at risk of significant harm, then this will be reported following local child protection procedure.

In cases where there is a high degree of suspicion, or in cases where the issues are not so clear or so urgent, the use of the following procedure will be considered in order to focus and test the strength of concerns about a child. It should always be borne in mind that it is not Cargilfield's role to investigate the allegations or suspicions, but to gather together what information it has about a child and pass it to the social work department or police. Children should not be subject to questioning by a variety of school staff. It would be against good investigative procedures and best evidence for children to be subject to internal investigations and thereafter re-interviewed by the social work and police authorities.

Emma Buchanan, the DSL will collate all relevant information held by the school on the child and will record on the paperwork the reasons to make or not make a formal child protection referral to the statutory agencies. Referrals will be made in every case where there is any substantial suspicion. Proof is not required at this stage. If there is doubt about whether to refer, guidance will be sought from the social work department or the police. Consideration will be given to the provision of support for the child and for the member of staff who made the report.

The Headmaster will send a brief report of the incident in confidence to the Chair of Governors. The names of the people involved will not be disclosed in this report unless there are exceptional reasons for doing so.

In the case of an allegation against a member of staff it may be appropriate to name the member of staff as the Governors are responsible for his/her employment.

4.8 Inappropriate Behaviour by Pupils

In the case of inappropriate behaviour by pupils, Cargilfield's behaviour policy or anti-bullying policy will apply. The basic facts will be established and parents or carers will be informed. In more serious cases, where a referral to police or social work is needed, beyond establishing the basic facts, it is not appropriate for staff to take on an investigative role. The child should not be searched or aggressively questioned. Not

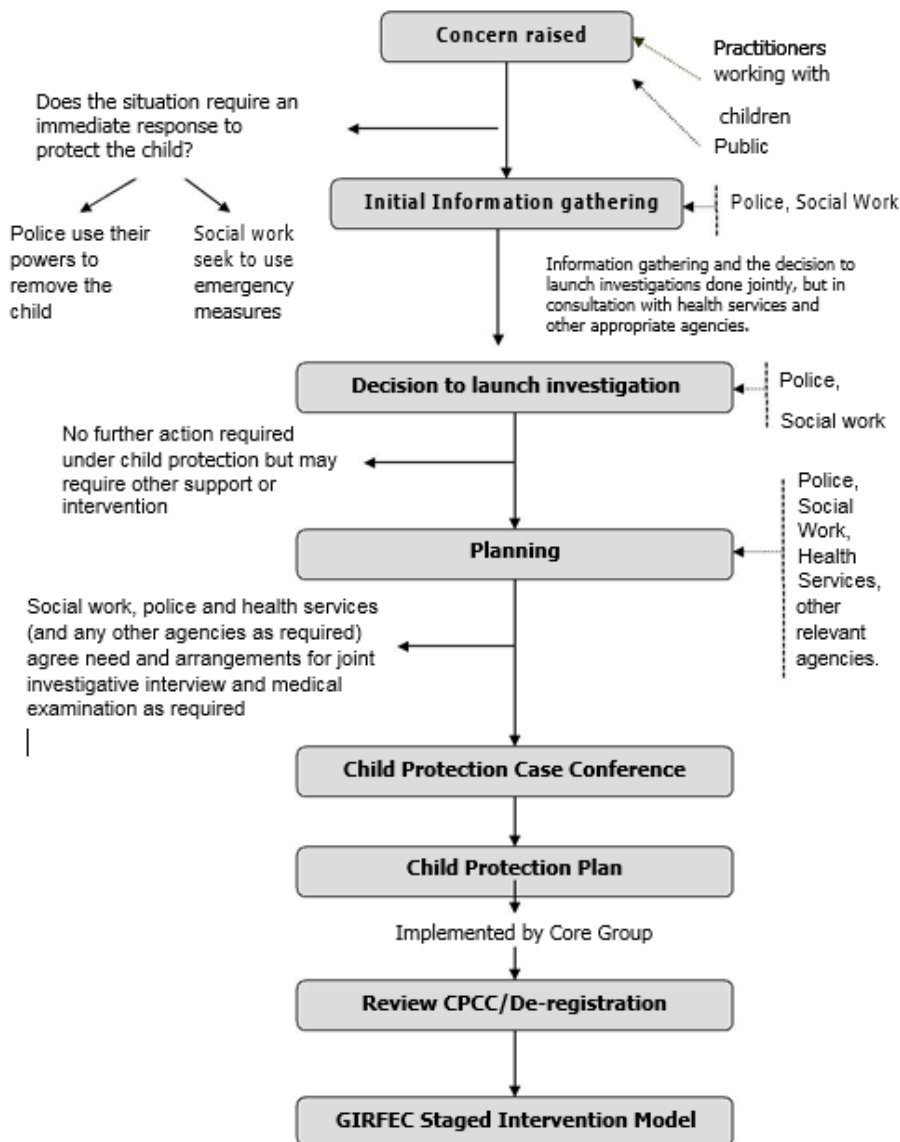
only can this constitute an abuse of the child and an abrogation of his/her legal rights, but it may weaken the possibility of success of future legal proceedings. Evidence will not be able to be used if it is regarded as having been unfairly or unlawfully obtained.

4.9 Inappropriate Behaviour by Staff

If a member of staff is concerned about a colleague’s behaviour they should report without delay to the DSL or DDSL or the Headmaster, who will then follow the procedures laid down.

FLOW CHART – CHILD PROTECTION PROCESS

Formal Child Protection procedures can be broadly divided into a number of different stages.



5. MANAGING ALLEGATIONS OR CONCERNING INFORMATION ABOUT STAFF

5.1 Allegations or Complaints of Abuse against Staff – where information suggests possible Child Abuse

Any information, suggestion, allegation or complaint against a member of Cargilfield staff, or adult living on site, about possible child abuse will be taken seriously and acted on. Where it is clear that the initial information suggests possible child abuse or a criminal offence against a child, the police will be asked to investigate and the following procedures along with those in the school's Disciplinary Policy will be followed.

If a member of staff has information which could suggest that possible child abuse has or is taking place then they must inform the Headmaster and Emma Buchanan, DSL, immediately. The Chair of the Board of Governors will then be informed by the Headmaster as a matter of urgency. Advice will be taken from the police before anyone is questioned. Advice will also be taken from the investigating officer in the police as to what information (either orally or in writing) can be given, and when, to the member of staff involved in the allegation, so that best evidence is preserved.

5.2 Concerning Information about Staff that does not suggest Child Abuse

If the information is unclear, the basic facts will be established using open-ended, non-leading questions and a decision made as to what action Cargilfield needs to take. If there is any doubt about the status of the initial information, advice will be taken from the police. If during the course of establishing the facts, it becomes evident that there is a possible allegation of abuse the guidance in 5.1 will be followed.

Where the information provided does not suggest child abuse, the context of the interaction between the member of staff and pupil and the intent of the member of staff will inform the initial assessment. Where the allegation concerns inappropriate behaviour by a member of staff, it may be appropriate to invoke the school's staff disciplinary procedures. The member of staff will always be informed that such an allegation has been made.

5.3 Precautionary Suspension

The Headmaster and DSL will have to consider how best to ensure that children are protected while an allegation is under investigation. A precautionary suspension, without prejudice to the member of staff, for the duration of the investigation, will be considered by the Headmaster and Chair of Governors in cases where:

- There is cause to suspect or believe a pupil or pupils are at risk of harm.
- The allegation warrants investigation by the police.
- The allegation is so serious that it might be grounds for dismissal.

Where the member of staff concerned has had contact with a number of children, consideration will be given to the possibility that others may also have been abused. If a decision is made to suspend the member of staff, there will be no delay in taking action, including during school holiday periods. The member of staff will be informed immediately and warned that there should be no contact with pupils for the duration of the investigation.

In the event of a member of staff being suspended while investigations are taking place, The Headmaster and Chair of Governors will consider whether it may be advisable to inform all parents or carers of children with whom the staff member concerned has had contact. As the matter will be *sub judice* advice will be sought from the investigating police officer who may need to discuss the matter with the Procurator Fiscal. In the infrequent event of a second allegation being made, consideration will have to be given as to whether to inform all parents. Once rumours and misinformation start to circulate, a lack of openness can lead to a loss

of trust between parents and the school and a breakdown in relationships. If there is enough suspicion of multiple abuse to justify enquiries being made of other children and families by police and social work agencies, the school will ensure that it responds appropriately to the legitimate concerns of parents or carers. In this situation, legal advice will be taken about the terms of any letter to be sent to all relevant parents or carers, and the terms of response to any enquiries from the press. Where the matter is *sub judice*, no letter will be sent to the parents or carers without clearing it with the investigating police officer who may need to clear it with the Procurator Fiscal. A delicate balance has to be maintained between openness and confidentiality, which respects rules of law about matters which are under investigation.

Should the allegations be proven, parents or carers will be informed of the facts and of the action taken by the school. If, after police and social work investigation, there is felt to be insufficient evidence for prosecution, or where a prosecution does not result in a conviction, disciplinary action against the member of staff may still be taken, if the member of staff is considered to represent a risk to a child or children or their behaviour has caused concern. A referral to the PVG Scheme and GTCS may be appropriate in some

5.4 Allegations against the Head

In cases where the member of staff against whom the allegation is made is the Headmaster, the Chair of Governors must be informed as a matter of urgency. It will be the responsibility of the Governors to consider the matter and take appropriate action and follow the policy laid down. Governors will take independent advice on the matter to avoid any suspicions of a 'cover-up'.

5.5 Unfounded Allegations

If after due consideration it is concluded that the allegation is completely unfounded, the decision to take the matter no further will be recorded, together with the reasons for it. Members of staff may wish to seek advice and support from their professional associations in these circumstances.

Where the information is shown to have been a malicious allegation by a pupil (and not for example a misinterpretation of the intent of a member of staff), the Headmaster will consider whether there is a need to take action to safeguard other staff members.

5.6 Abuse of Trust

Part 5 of the Sexual Offences (Scotland) Act 2009 covers the abuse of trust offence whereby a person aged 18 or over engages in sexual activity with a person under that age if the person aged 18 or over is in a position of trust in relation to the younger person. The definitions of when a person is in a 'position of trust' would include all staff in schools.

SECTION 2 – NON-RECENT ALLEGATIONS OF ABUSE POLICY

Non-Recent Allegations of Abuse Policy

Duties and Responsibilities

Our priority is the safety and welfare of all pupils and our teaching staff maintain the highest standards of childcare at all times. We will treat any non-recent allegations of abuse extremely seriously and provide appropriate assistance

The Headmaster has a duty to ensure that the School fulfils not only its statutory responsibilities to safeguard and promote the welfare of children but also to ensure the welfare of all connected to Cargilfield School. He will report any such allegations to the Governors as he sees appropriate.

The DSL will ensure all staff are aware of their duties in safeguarding children and ensure they are fully trained in the operation of this policy and are confident they understand the procedures to follow.

All staff who receive a disclosure from a child or an adult regarding historic child abuse or neglect allegations must follow this policy.

Introduction

The term “non-recent allegations of abuse” commonly refers to disclosures of abuse that were perpetrated in the past, before the age of 16 and in some cases 18. It is normally used when the victim is no longer in circumstances where they consider themselves at risk from the perpetrator. It is often the case that victims of abuse are not able, for a variety of possible reasons, to disclose the abuse at the time it is happening, but may do so either at some later stage in childhood or as an adult.

The manner in which the disclosure is made and to whom it is made may vary and be made in a variety of situations e.g. during counselling, to a doctor, the police or by letter, phone or email to the School, or in the case of a child, to parents or to a member of School staff.

The Headmaster, the DSL and the individual making the disclosure, may not be aware of the perpetrator’s present circumstances and therefore, are not able to assess whether they pose a current risk to a child, children or other vulnerable person. The wishes of the individual and what outcomes they seek, must be taken into account when considering how to proceed with the disclosure. It must be recognised that the individual may not want the matter referred to the police for investigation. However the law requires the sharing of information irrespective of the wishes of the individual making the disclosure, where it is considered essential for the safeguarding of them and potentially of others too. The Headmaster and DSL will, unless they have credible and definitive information to indicate otherwise, adopt the position that the alleged perpetrator presents a risk to children and should share the information with the Police so appropriate enquires can be made. A criminal prosecution may be possible if sufficient evidence can be obtained.

Policy and Procedure

These are in line with the School’s Child Protection Policy

All staff who receive a disclosure from an adult or child regarding non-recent allegations of abuse or neglect allegations must follow these procedures. Staff members have the responsibility to advise individuals early on of certain disclosures which they may have to report. This is part of their duty to safeguard children. This may include sharing confidential information without the person’s permission, therefore no promise of confidentiality can be made.

All staff must act in the best interest of the adult or child involved. In the case of a child their welfare and safety is paramount and if there are any concerns, then these should be brought to the attention of the Headmaster or DSL without delay. Doing nothing is NOT an option.

As soon as it becomes apparent that an individual is revealing details of new child abuse allegations, the member of staff must record what is said by the person and the responses they give. The member of staff should **OBSERVE, RECORD** and **REPORT**.

Staff should keep contemporaneous notes and make a record of them on the same working day. If this is done electronically, it should not be saved but should be printed, signed and dated. These notes should not be emailed to anyone in the school. Any documentation can be potentially called in by the police and is always stored securely by the DSL. It should be noted that the person to whom the disclosure is made may be called as a witness in a subsequent court case.

In line with Child Protection policy, it is not appropriate for staff to “investigate” the allegations or ask probing questions prior to the involvement of the Police. Once the member of staff has written their notes, they should report the matter to the DSL, or in her absence to the DDSL, as soon as possible and certainly on the same working day of the disclosure being made, who will inform the Headmaster.

Supporting the Individual making the Disclosure

In the case of an adult making a disclosure, they will be encouraged by the Headmaster to contact the police themselves. Where they do not want to, or are not able to do so, the Headmaster is required to do so. It is unlikely that the police will make contact with the person when it is known they do not want to pursue the allegation unless they feel that there is an on-going risk to children or others. It is the Police’s role to decide what to do with the information they receive.

Consideration must also be given to the support needs of the individual making the disclosure. Reassurance should be given that all reasonable efforts will be made to investigate what they have reported. Individuals should also be made aware by the Headmaster or DSL, that insufficient disclosure of information may result in no action being taken which could leave others at risk of harm.

Staff must be aware that the disclosure of non-recent allegations of abuse and any subsequent action taken may have a very traumatic effect on the individual and their family.

Therefore the wish for safeguarding confidentiality must be weighed against the potential risk doing so poses to others. The decision on how to proceed will be carefully considered by the Headmaster and the DSL. Where they feel they may be operating against the express wishes of the individual making the disclosure they may deem necessary to take legal advice before proceeding. This process and the actions taken must be fully recorded.

Procedures for Dealing with Public Interest

Following any non-recent allegations of abuse reaching the public domain there may be interest from, and enquiries made by, members of the public or the media. In this instance a spokesperson will be appointed by the School who will manage these.

In the event of public interest, the School will issue an official, factual statement.

The school’s Media Guidelines Policy should be followed at all times.

If the media visit or phone the School then the name and contact details should be taken. The spokesperson will then contact them to answer questions. No questions should be answered, or comments made.

If a staff member is approached by a member of the public or the media they must not answer questions or make any comments but pass on their contact details to the Headmaster who will forward them to the spokesperson.

Staff must not discuss any non-recent allegations of abuse out with school. Careless talk could have potentially serious consequences given the highly confidential and legal nature of such allegations.

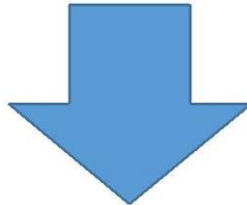
If a staff member is approached on the premises by a stranger then their name should be taken and they should be politely requested to leave the school grounds. The event must be reported to the Headmaster or the DSL straight away. Staff should be on the lookout for strangers and must challenge anyone who appears suspicious.

If the School has advance notice of any media publications then parents and staff will be notified in advance so they are not caught off guard.

If parents approach staff about any media publications or with any questions about things they have heard, staff should not pass comment. Parents should be advised that the Headmaster has an open door policy and if there is something they want to discuss they are welcome to speak to him directly.

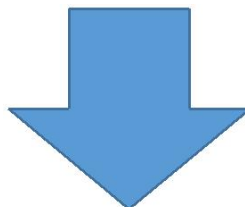
Establish the Circumstances:

WHO, WHAT, WHERE, WHEN

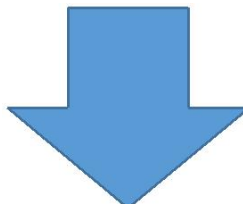


Disclosure by individual in writing, by email, phone, letter or in person.

Confidentiality is not guaranteed



Initial assessment of Risk to Individual and others



The headmaster or the adult individual contacts the police to share information.

SECTION 3 – FGM POLICY

FEMALE GENITAL MUTILATION (FGM)

FGM is when a female's genitals are deliberately altered or removed for non-medical reasons. It is also known as "female circumcision" or "cutting", but has many other names. It has no health benefits and can cause serious harm. It is often carried out for a number of cultural, religious and social reasons but it is harmful and is not required by any religion. It can happen both in the UK and abroad with girls and women from certain communities being more at risk. These include Somali, Kenyan, Ethiopian, Sierra Leonean, Sudanese, Egyptian, Nigerian, Eritrean, Yemeni, Kurdish and Indonesian.

FGM is a form of child abuse. It is dangerous and a criminal offence in the UK. It is often performed by someone with no medical training, using inappropriate and dangerous unhygienic equipment. It can cause long-lasting damage to a child's physical and emotional health. It can happen at any time in a girl or woman's life.

There are various signs that FGM might happen and staff at Cargilfield should be aware of these. These include

- A relative or someone known as a "cutter" visiting from abroad;
- A special occasion or ceremony takes place where a girl "becomes a woman" or is "prepared for marriage";
- A female relative has undergone FGM;
- A family arranges a long holiday overseas or visits a family abroad during the school holidays;
- A girl has an unexpected or long absence from school;
- A girl struggles to keep up in school;
- A girl runs away – or plans to run away – from home.

Signs FGM might have taken place are

- Having difficulty walking, standing or sitting;
- Spending longer in the bathroom or toilet than normal;
- Appearing quiet, anxious or depressed
- Acting differently after an absence from school;
- Reluctance to go to the doctors or have routine medical examinations;
- Asking for help – thought they might not be explicit about the problem because they're scared or embarrassed.

A child who has faced, or is worried about FGM might not realise what is happening is wrong. If a child talks to you about FGM it is important to listen carefully to what they are saying and let them know they have done the right thing by telling you. Staff should reassure them that it's not their fault and you will take them seriously. Staff should explain that the matter will be passed on to the Safeguarding team who will take over from there.

If you suspect a child has been a victim of FGM or is about to be, then staff must report this immediately to the Safeguarding team.

SECTION 4 – PREVENT POLICY

PREVENT

The PREVENT strategy, published by the UK government in 2011, is part of their counter-terrorism strategy. The aim of which is to reduce the threat to the UK from terrorism by stopping people, including children and young people from becoming terrorists or supporting terrorism through 3 specific objectives:

- respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- prevent people from being drawn into terrorism and ensure they are given appropriate advice and support; and
- work with sectors and institutions where there is a risk of radicalisation that we need to address.

Cargilfield uses the following accepted Governmental definition of extremism:

‘Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of members of our armed forces, whether in this country or overseas.’

Extremists of all persuasions aim to develop destructive relationships between different communities by promoting division, fear and mistrust of others based on ignorance or prejudice and thereby limiting the life chances of young people. Education is a powerful weapon against this; equipping young people with the knowledge, skills and critical thinking to challenge and debate in an informed way. Cargilfield provides a broad and balanced curriculum, delivered by skilled professionals, so that our pupils are enriched, understand and become tolerant of difference and diversity and are able to thrive, feel valued and not marginalized.

Staff at Cargilfield are trained so that they are aware of Prevent Policy and know its importance. There is an annual risk assessment done to include the use of school buildings from outside lets, to ensure that these organisations are ones we are aware of. Head of Department’s will ensure that we are delivering, through planning and PSHE and Health and Wellbeing, the fundamental British values that the strategy aims for. This is done through providing a balanced curriculum including using external speakers who have Prevent as their aim.

At Cargilfield we are aware that young people can be exposed to extremist influences or prejudiced views from an early age which emanate from a variety of sources and media, including via the internet. We have an important role to play by providing a safe space for our pupils to explore, discuss and debate the range of social and political issues in our rapidly changing world. At times, pupils themselves may reflect or display behaviours that may be discriminatory, prejudiced or extremist. Cargilfield’s ethos is one that promotes the values of:

- democracy
- the rule of law
- individual liberty
- mutual respect
- tolerance for those with different faiths and beliefs.

It is our responsibility to keep our pupils safe and prepare them for life in both modern multi-cultural Britain and the wider world. Any prejudice, discrimination or extremist views, including derogatory language, displayed by pupils, staff, parents or visitors will be challenged and where appropriate, dealt with in accordance with the relevant policies and procedures and recorded on ISAMS. Staff should have a clear understanding of how the holding of views which endorse extremism can lead to safeguarding issues for the wellbeing of the individual young person.

Within the concept of the curriculum, 5 strands that support the prevention of violent extremism are:

1. Understand how an extremist narrative which can lead to harm can be challenged by staff in schools. Model to pupils how diverse views can be heard, analysed and challenged in a way which values freedom of speech and freedom from harm.
2. Understand how to prevent harm to pupils by individuals, groups or others who promote violent extremism, and manage risks within the school.
3. Understand how to support individuals who are vulnerable through strategies to support, challenge and protect.
4. Increase the resilience of pupils and of school communities through helping pupils acquire skills and knowledge to challenge extremist views, and promoting an ethos and values that promotes respect for others.
5. Use teaching styles and curriculum opportunities which allow grievances to be aired, explored and demonstrate the role of conflict resolution and active citizenship.

At Cargilfield, our aim is to develop critical thinking skills so that the pupils become resilient to and equipped to challenge divisive viewpoints and hate speech. This is done through the children learning about other people, cultures, beliefs, attitudes and values, through supportive learning environments.

While it remains rare for children and young people to become involved in terrorist activity, young people from an early age can be exposed to terrorist and extremist influences or prejudiced views. As with other forms of safeguarding strategies, early intervention is always preferable.

In the event of concerns about the possibility of a pupil or member of staff becoming radicalised child protection procedures will be followed.

SECTION 5 – CHILD SEX EXPLOITATION POLICY

Child Sexual Exploitation (CSE)

CSE has two distinctive characteristics – exploitation and exchange. CSE is the sexual exploitation of children and young people under the age of 18 and may involve a child or young person being enticed, coerced, manipulated, forced or deceived into performing and or allowing others to perform on them, sexual acts in exchange for some form of material goods e.g. money, gifts, affection.

CSE is a complex issue which can affect any child or young person anytime, anywhere regardless of their social, economic or ethnic background. CSE should not be seen in isolation, but in the wider context of vulnerability and risk. CSE is often hidden and can involve features of **violence, coercion** and **intimidation**. Involvement in exploitative relationships are characterised in the main by the child or young person's limited availability of choice, resulting from their social, situational, psychological, physical, economic and emotional vulnerability.

CSE can also occur through the use of **technology** and without the child's immediate recognition, e.g. being persuaded to post sexual images of themselves on the internet or mobile phones without any immediate payment or gain. CSE perpetrators have **power** over their victims by virtue of their age, gender, intellect, physical strength, economic or other resource. The gain for those perpetrating or facilitating CSE can include financial benefit; sexual gratification; status or control.

Victims of CSE **rarely disclose** their abuse. This may be due to fear or even them not recognising they are a victim of CSE, or they may consider themselves to be in a loving adult relationship with the abuser. The **sophisticated grooming** and priming processes conducted by the perpetrators and the **exchange element** can also act as additional inhibitors and / or barriers to disclosure.

In some CSE cases, the sexual abuse may take place between the victim and the perpetrator; in other CSE cases the victim may be passed between two or more perpetrators and in some CSE cases this may be organised by criminal gangs or organised groups. The key factor which distinguishes CSE from other forms of child sexual abuse is the concept of exchange. The victim is coerced, manipulated, forced or deceived into engaging in sexual abuse in return for something.

The signs and risk indicators of CSE

There are a number of signs, symptoms and indicators (behavioural) which may alert you that a child or young person is at risk of CSE.

The following is a list of possible CSE signs and symptoms,

- Staying out late or regular episodes of being missing without knowledge or permission
- Evidence or suspicion of physical or sexual assault; disclosure of assault followed by withdrawal of an allegation
- Relationships with controlling adults
- Entering or leaving vehicles driven by unknown adults
- Children under 13 years asking for sexual health advice
- Concerning use of the internet or mobile phone
- Acquisition of money, clothes, mobile phone etc. without plausible explanation
- Receiving lots of texts or phone calls
- Agitated or stressed prior to leaving home alone
- Returning home distraught or dishevelled or under the influence of substances
- Inappropriate sexualised behaviour for age and development
- Physical signs of bruising or bite marks
- Significantly older 'boyfriend' or 'girlfriend'

- Increasing secretiveness around behaviours
- Change in personal hygiene (greater attention or less attention)
- Overtly sexualised dressing
- Self harm and other expressions of despair
- Access to contact sites; chat lines via the internet or mobile phones
- Sexting

Reasons for a child or young person not disclosing CSE

The reasons why a child or young person may not disclose CSE are complex and numerous. In many cases they do not recognise that they are a victim of CSE.

The following is a list of possible reasons why children and young people do not always disclose CSE, albeit these are not necessarily considered to be an all-inclusive or exhaustive list of possibilities:

- Fear that perceived benefits of exploitation may outweigh the risks.
- Fear of retribution on self or family or that situation could get worse.
- Fear of violence within exploitative relationship.
- Shame
- Fear of not being believed.
- Fear of labelling
- Fear of separation
- Loss of control; fear of Police involvement and court proceedings.
- Don't recognise they are being exploited.

Remember, CSE is abuse and a child protection concern. No child or young person can consent to their own abuse. If you suspect CSE is occurring, you must follow Cargilfield's child protection procedures.

Section 6: APPENDICES

Appendix 1

UN Convention on the Rights of the Child

In 1989, governments across the world promised all children the same rights by adopting the. The convention says what countries must do so that all children grow as healthy as possible, can learn at school, are protected, have their views listened to and are treated fairly

<p>Article 1 Everyone under the age of 18 has all the rights in the Convention.</p> <p>Article 2 The Convention applies to everyone: whatever their race, religion or abilities, whatever they think or say, whatever type of family they come from.</p> <p>Article 3 The best interests of the child must be a top priority in all things that affect children.</p> <p>Article 4 Governments must do all they can to make sure every child can enjoy their rights.</p> <p>Article 5 Governments must respect the rights and responsibilities of parents and carers to direct and guide their children as they grow up, so that they can enjoy their rights properly.</p> <p>Article 6 Every child has the right to life. Governments must do all they can to make sure that children survive and develop to their full potential.</p> <p>Article 7 Every child has the right to a legal name and nationality, as well as the right to know and, as far as possible, to be cared for by their parents.</p> <p>Article 8 Governments must respect every child's right to a name, a nationality and family ties.</p> <p>Article 9 Children must not be separated from their parents unless it is in their best interests (for example, if a parent is hurting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.</p> <p>Article 10 Governments must act quickly and sympathetically if a child or their parents want to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit both of them.</p> <p>Article 11 Governments must do everything they can to stop children being taken out of their own country illegally or being prevented from returning.</p> <p>Article 12 Every child has the right to have a say in all matters affecting them, and to have their views taken seriously.</p> <p>Article 13 Every child must be free to say what they think and to seek and receive all kinds of information, as long as it is within the law.</p> <p>Article 14 Every child has the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights of parents to give their children information about this right.</p> <p>Article 15 Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.</p>	<p>Article 16 Every child has the right to privacy. The law should protect the child's private, family and home life.</p> <p>Article 17 Every child has the right to reliable information from the media. This should be information that children can understand. Governments must help protect children from materials that could harm them.</p> <p>Article 18 Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by giving them the help they need, especially if the child's parents work.</p> <p>Article 19 Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.</p> <p>Article 20 If a child cannot be looked after by their family, governments must make sure that they are looked after properly by people who respect the child's religion, culture and language.</p> <p>Article 21 If a child is adopted, the first concern must be what is best for the child. All children must be protected and kept safe, whether they are adopted in the country where they were born or in another country.</p> <p>Article 22 If a child is a refugee or is seeking refuge, governments must make sure that they have the same rights as any other child. Governments must help in trying to reunite child refugees with their parents.</p> <p>Article 23 A child with a disability has the right to live a full and decent life with dignity and independence, and to play an active part in the community. Governments must do all they can to provide support to disabled children.</p> <p>Article 24 Every child has the right to the best possible health. Governments must work to provide good quality health care, clean water, nutritious food and a clean environment so that children can stay healthy. Richer countries must help poorer countries achieve this.</p> <p>Article 25 If a child lives away from home (in care, hospital or in prison, for example), they have the right to a regular check of their treatment and the way they are cared for.</p> <p>Article 26 Governments must provide extra money for the children of families in need.</p> <p>Article 27 Every child has the right to a standard of living that is good enough to meet their physical, social and mental needs. Governments must help families who cannot afford to provide this.</p>	<p>Article 28 Every child has the right to an education. Primary education must be free. Secondary education must be available for every child. Discipline in schools must respect children's dignity. Richer countries must help poorer countries achieve this.</p> <p>Article 29 Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.</p> <p>Article 30 Every child has the right to learn and use the language, customs and religion of their family, regardless of whether these are shared by the majority of the people in the country where they live.</p> <p>Article 31 Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.</p> <p>Article 32 Governments must protect children from work that is dangerous or might harm their health or education.</p> <p>Article 33 Governments must protect children from the use of illegal drugs.</p> <p>Article 34 Governments must protect children from sexual abuse and exploitation.</p> <p>Article 35 Governments must ensure that children are not abducted or sold.</p> <p>Article 36 Governments must protect children from all other forms of bad treatment.</p> <p>Article 37 No child shall be tortured or suffer other cruel treatment or punishment. A child should be arrested or put in prison only as a last resort and then for the shortest possible time. Children must not be in a prison with adults. Children who are locked up must be able to keep in contact with their family.</p> <p>Article 38 Governments must do everything they can to protect and care for children affected by war. Governments must not allow children under the age of 15 to take part in war or join the armed forces.</p> <p>Article 39 Children neglected, abused, exploited, tortured or who are victims of war must receive special help to help them recover their health, dignity and self-respect.</p> <p>Article 40 A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to help from a lawyer and a fair trial that takes account of their age or situation. The child's privacy must be respected at all times.</p> <p>Article 41 If the laws of a particular country protect children better than the articles of the Convention, then those laws must stay in place.</p> <p>Article 42 Governments should make the Convention known to children and adults.</p>
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Code of Conduct for Staff: Guidance on Interaction with Pupils

Staff interactions with pupils must be transparent and staff should always be wary of allowing situations to develop which could lead to allegations of impropriety.

1. Physical Touch

The climate of suspicion that has developed with regard to child abuse poses a real dilemma for caring adults. This is true in all schools but especially so in boarding situations where schools take a pride in fostering a family atmosphere. In order to protect children from abuse, and staff from suspicions of abuse, the natural inclination to comfort and reassure children through physical contact needs a considered assessment of the situation. This does not mean that physical contact is never permissible. It does mean that adults touching children must operate within understood limits, and that contact out with those limits must be a considered response which can be justified if necessary.

Where those limits lie will vary according to the age of the child and the role of the member of staff. A young boarder may well require to be comforted and reassured. Any touching or comforting should be age appropriate, context specific, preferably done within vision of others and prompted by the needs of the child, not those of the staff.

One would expect the need and desirability of such contact with older pupils, especially day pupils, to be considerably less, although even in these circumstances situations could arise in which it would be a natural and human occurrence. The death of a pupil, for example, might make it natural for pupils and teachers to grieve together and touching would be neither unusual nor undesirable, so long as it was agreeable to both parties and limited.

It would be impossible to lay down rigid rules about what is, and is not, permissible. Awareness-raising through regular child protection training provides opportunities for staff to explore acceptable limits through discussion of case scenarios. Common sense is a good guide, but it must be informed common sense. It is important for caring adults to understand that too generous limits which can be operated satisfactorily by some can be exploited by others with less worthy motives.

2. One-to-One Situations

Opportunities for abuse exist in all schools, especially boarding schools, and in one-to-one situations. Staff should try, as far as possible, to avoid being alone with a pupil. However, for some staff this is unrealistic as the context of their job is teaching in one-to-one situations, This may also prove difficult in the boarding house where it can be beneficial for a child to have some opportunity for one-to-one contact with an adult.

- Where one-to-one contact is appropriate, it should be timetabled and, where possible, held with others around or within earshot or view of others.
- Never have the door locked and, wherever possible, maintain a gap/barrier between you and the child.
- Another member of staff should be aware of any unscheduled meeting and its purpose.
- Windows built in to doors should not be covered up.
- Staff should not meet pupils off school premises or invite them to their home.
- Most one-to-one meetings will be straightforward and uneventful. But where the meeting is difficult, fraught, tense, and accusatory or the pupil becomes distressed, the adult must record details and inform the Headmaster of the incident.
- If in doubt about a meeting, agree that a colleague will be nearby.

- Excursions out of the school, especially residential stays, can provide opportunities for abuse. The School will always ensure that there are sufficient adults to provide proper supervision and that appropriate risk assessment(s) have been carried out.

3. Physical Contact and Restraint

- Physical contact should only be for the purpose of care, instruction, health and safety, physical intervention or restraint.
- Avoid any physical horseplay with a child, or any other actions another adult or child might misinterpret, no matter how innocent or well-intentioned the actions might be.
- Staff should always be able to justify resorting to physical contact in any situation.
- The nature of the contact should be limited to what is appropriate and proportionate.
- Where possible, initial responses should be to de-escalate and divert before considering physical intervention or restraint. Staff should avoid restraining a child by putting their hands on a child's joints. Where possible another member of staff should be summoned to witness and give support. As soon as the child is under control, staff should cease any physical contact. All incidents of physical intervention or restraint should be logged, dated and signed in the log kept for that purpose.
- The use of physical restraint on a child should involve the absolute minimum force reasonable to the situation and is only permissible when certain that a child is at imminent risk of endangering themselves or others (or in extreme circumstances of inflicting damage to property).
- Where physical restraint is required, a central concern should be to return personal control of his/her actions to the child or young person concerned as quickly as possible.
- Physical restraint must never be used routinely.

4. 'Hands on' Educational Instruction

- 'Hands on' educational instructions / support should only be used when verbal or role-modelling is insufficient or it is necessary for health and safety reasons. Whenever possible, this should be done within earshot, and preferably within view, of others.
- Where 'hands on' is necessary you should seek the young person's permission appropriate to their age and level of understanding and explain to them what you are about to do.

5. Verbal Remarks

- Positive relationships between staff and children often involve warmth and humour but staff should be aware that there can be a narrow line between remarks which an adult perceives as fair and humorous, but which can be hurtful and embarrassing to a child.
- Salacious or demeaning remarks should never be made to or in the presence of children and young people. Remarks about a child's physical characteristics or development, or suggestive or derogatory comments could fall into this category.
- Staff should avoid making unfavourable comparisons to a child and 'picking on' particular children.

6. Communication via E-Technology and Social Media

- Any communication via e-technology with pupils must be in line with school policy, for educational purposes and approved by the senior management of the school.
- A teacher can be vulnerable to unintended misuse of electronic communication. E-mail, texting and social media encourage casual dialogue and very often, innocent actions can easily be misconstrued or manipulated. A member of staff should never share information with pupils in any environment that they would not willingly or appropriately share in a school or school-related setting. Staff should not communicate with pupils by private email, text message or on social media of any type.
- Further advice for staff is provided by GTCS and SSSC.

7. Attachments

- In circumstances where you or a member of staff's relationship with, or feelings towards, a child or young person are at risk of being construed as unprofessional behaviour, seek advice and support from the Headmaster or DSL.
- If it seems that a young person is becoming inappropriately attached to you or to another member of staff, share your concerns and seek advice from the Headmaster or DSL.
- Unless staff have already established relationships with a pupil(s) through friendships with parents or with their own children, they should not have contact with pupils for the purpose of securing a personal friendship or relationship.
- Staff need to be aware that it is not uncommon for pupils to be attracted to/infatuated by a member of staff. Staff should also be aware that such circumstance can carry a high risk of words or actions being misinterpreted and for allegations to be made.
- Any sexual behaviour with, or towards a child or young person, is both inappropriate and illegal and could constitute a 'Breach of Trust' offence.

8. Climate and 'Whistle Blowing'

- In working with children and young people, it is possible for staff, through ill-considered actions, to lay themselves open to allegations of abuse. Their best protection is to encourage a climate of openness within the classroom and school community, where pupils feel confident to point out aspects of behaviour they do not like.
- If another member of staff is seen to behave inappropriately with a child, do not ignore it but share it with the Headmaster or DSL.
- In certain situations staff may agree to transport children. This should be approved by management. Wherever possible and practical, it is advised that transport is undertaken other than in private vehicles with at least one adult additional to the driver. Where a member of staff's own vehicle is used, they should ensure that they are insured for the purpose and wherever possible children should be in the back seat.

If the concern is about the DSL or DDSL then it should be reported to the Headmaster and if it is about the Headmaster it should be reported to the Chair of the Board of Governors.

9. Inappropriate or Abusive Behaviour

The list below is presented to show some of the ways in which inappropriate behaviour or abuse may be manifested. It is important to recognise that this list is neither definitive nor exhaustive, nor is it meant to suggest that all the actions below are in themselves abusive: they must be seen in the context of the interaction with the child and the intention of staff. Staff should bear these in mind as a way of minimising risk and encouraging good practice. Staff must always exercise professional judgement in each circumstance.

- | | |
|------------------|--|
| Physical | Hitting/tapping
Pushing/jabbing
Throwing missiles
Shaking |
| Emotional | Inappropriate/systematic sarcasm
Isolating e.g. locked room
Unfavourable comparisons
Threats
Intimidation
Scapegoating
Systematic personal criticism |
| Sexual | Any sexual activity with a pupil
Inappropriate touching/comforting
Suggestive remarks or gestures
Sexual harassment
Indecent materials
Grooming a child for abuse |

I confirm that I have read and understood the above code of conduct. I have been informed of the School's Child Protection and Safeguarding Policies and my responsibility to take advice from the appropriate member of staff (Headmaster/DSL/DDSL) if I have a Child Protection or Safeguarding concern about a pupil.

Signed:

Name (printed):

Role:

Date:

SIGNS OF POSSIBLE CHILD ABUSE

It is important to remember that lists such as the one below are neither definitive nor exhaustive. The information has to be used in the context of the child's whole situation and in combination with a range of other information related to the child and his/her circumstances.

These are general indicators that the child may be troubled though not necessarily about abuse. The child may have some of these problems or none at all. It is the combination, frequency and duration of signs that will alert you to a problem. Try to notice all changes in usual behaviour.

There can be an overlap between all the different forms of child abuse, and all or several can co-exist.

1. PHYSICAL ABUSE

Signs of possible physical abuse:

- particularly if they are recurrent
- Improbable excuses given to explain injuries
- Refusal to discuss injuries
- Untreated injuries, or delay in reporting them
- Excessive physical punishment
- Arms and legs kept covered in hot weather
- Fear of returning home
- Aggression towards others
- Running away

When considering the possibility of non-accidental injury it is important to remember that the injuries may have occurred for other reasons, e.g. genuine accidents or medical disorders.

2. PHYSICAL NEGLECT

Signs of possible physical neglect:

- Constant hunger
- Poor personal hygiene
- Constant tiredness
- Poor state of clothing
- Frequent lateness and/or unexplained non-attendance at school
- Untreated medical problems
- Low self-esteem
- Poor peer relationship
- Stealing

3. NON-ORGANIC FAILURE TO THRIVE

Signs of possible non-organic failure to thrive:

- Significant lack of growth
- Weight loss
- Hair loss
- Poor skin or muscle tone
- Circulatory disorders

4. EMOTIONAL ABUSE

Signs of possible emotional abuse:

- Low self-esteem
- Continual self-deprecation
- Sudden speech disorder
- Significant decline in concentration
- Socio-emotional immaturity
- 'Neurotic' behaviour (e.g. rocking, head banging)
- Self-mutilation
- Compulsive stealing
- Extremes of passivity or aggression
- Running away
- Indiscriminate friendliness

5. SEXUAL ABUSE

Not all children are able to tell parents or carers that they have been assaulted. Changes in behaviour may be a signal that something has happened. It is important to remember that in sexual assault there may well be no physical or behavioural signs.

Signs of possible sexual abuse:

a. Behavioural

- Lack of trust in adults or over familiarity with adults
- Fear of a particular individual
- Social isolation - withdrawal or introversion
- Sleep disturbance (nightmares, irrational fears, bed wetting, fear of sleeping alone, needing a nightlight)
- Running away from home
- Girls taking over the mothering role
- Reluctance or refusal to participate in physical activity or to change clothes for activities
- Low self-esteem
- Drug, alcohol or solvent abuse
- Display of sexual knowledge beyond child's years
- Unusual interest in the genitals of adults or children or animals
- Expressing affection in an age inappropriate way, e.g. 'French kissing'
- Fear of bathrooms, showers, closed doors
- Abnormal, sexualised drawing
- Fear of medical examinations
- Developmental regression
- Poor peer relations
- Inappropriate or sexually harmful behaviours
- Compulsive masturbation
- Stealing
- Psychosomatic factors, e.g. recurrent abdominal pain or headache
- Having unexplained/abundance of sums of money and/or possessions
- Sexual promiscuity

b. Physical/Medical

- Sleeplessness, nightmares, fear of the dark
- Bruises, scratches, bite marks to the thighs or genital areas

- Itch, soreness, discharge, unexplained bleeding from the rectum, vagina or penis
- Pain on passing urine or recurrent urinary infection
- Stained underwear
- Unusual genital odour
- Anxiety/depression
- Eating disorder, e.g. anorexia nervosa or bulimia
- Discomfort/difficulty in walking or sitting
- Pregnancy - particularly when reluctant to name father
- Venereal disease, sexually transmitted diseases
- Soiling or wetting in children who have been trained
- Self-mutilation/suicide attempt

CONFIDENTIALITY POLICY

The policy of the School is to work in partnership with parents in order to promote the wellbeing of pupils. Pupils and parents should feel able to raise concerns about safety and wellbeing and trust that these matters will be dealt with sensitively and appropriately.

Children and young people have a right to privacy under the European Convention on Human Rights (ECHR) & United Nations Convention on the Rights of the Child (UNCRC); children have the same rights to confidentiality as adults. This includes supporting them to have as much control over their situation as possible, in the context of their stage of development and level of understanding. The school operates on the presumption that anything imparted in confidence will be treated in confidence. This will allow children to be able to seek support and advice on how to deal with a particular issue. This is however, subject to four qualifications:

1. Anything imparted 'in confidence' to one member of staff or person approached as an associate of the school, may be shared with a restricted number of colleagues if that person feels in need of support and guidance from them.
2. If serious concerns are raised about the safety, wellbeing or protection of a child, in line with the school's, Child Protection and Safeguarding procedures, staff are required to pass that information on to the Safeguarding Team. They will then decide what appropriate action to take, including whether it should be shared with the appropriate authorities. In these circumstances, the person approached would not, except in an emergency, breach the confidence of the pupil seeking assistance without telling them of their intentions. Ideally, and as a matter of good practice, the pupil's views on this, along with their consent, should be sought.
3. Where there are concerns that a pupil may be at risk of significant harm, advice will always be taken from the statutory authorities. Sharing information that is relevant and proportionate about children who are at risk of harm, is fundamental to keeping children safe.
4. The school must pass on information when legally obliged to do so, for example, by a court of law.

Pupils must feel able to share concerns with staff. There may be a conflict of interests when a pupil consults a member of staff about a problem and does not want that information to be shared with their parents. Staff should always encourage and support pupils to share the information with their parents, however there may be circumstances in which pressure to pass the information on is not in the pupil's best interests. This could result in the pupil keeping the problem to him or herself or not sharing concerns in the future.

Confidentiality is of fundamental importance to many children and young people who experience difficulties in their lives. Fears around lack of confidentiality deter some vulnerable pupils from seeking help, leaving them at increased risk of harm.

Children will sometimes want to raise an issue but be frightened of the consequences of the issue being tackled and things getting worse. It is important to offer children the opportunity to raise a smaller friendship/bullying issue without feeling that they lose control of the matter ('it will only get worse'). In sharing this with an adult, it will usually help simply to talk and staff should discuss any possible response with them. This may not be necessary with younger children but is especially important for our older children. We will always try to encourage children to be brave and to tackle issues that are concerning them as well as standing up to support others when they see something wrong.

Some children choose instead to contact ChildLine services. This allows them to share the information at their own pace and, in the majority of cases, retain control of what happens. This type of confidential service provides young people with the opportunity to talk about their problems with someone who can listen and advise without necessarily having to refer.

Parents should be reassured that, whenever possible, it is the aim of the School to act in the best interests of the child and to encourage the fullest possible involvement and consultation with parents.

Appendix 5

Confidentiality Statement for Pupils

Staff at Cargilfield want you to be happy and to make the most of all the different opportunities you are provided with during your time at School. We hope that you feel able to seek help if you are concerned or worried about anything. We are here to help and support you. We hope this information will help you understand how staff can help you and the various options you have for getting the help you need when you need it.

Your Wellbeing is very important and if you are going to flourish staff at Cargilfield School want to ensure that you are:

Safe, Healthy, Achieving , Nurtured, Active, Respected , Responsible and Included

Most of you will be able to get the help you need to support you from your parents and your teachers. However, if you feel you need extra support every school has a Named Person whose job it is to organise additional help for pupils. At Cargilfield the Named Person is Mr Taylor and he is here to listen and to support you. Anything you say will be treated in confidence unless there are concerns for your safety or protection. If he needs to share the information you give him, he will tell you who he is sharing it with and why, and ask for your consent to do this. He will also make sure your views are heard and considered.

There will sometimes be problems – perhaps a friendship problem or some unkindness – where you are nervous of sharing this with a teacher for fear that they will step in and make things more difficult. Members of staff are always happy to listen and, as long as the problem is not too serious, to discuss how best to tackle this and support you to solve the problem yourself.

You may have concerns that you do not want to share with your parents or staff. If you are worried about confidentiality:

You can tell staff using a hypothetical concern and seek advice e.g. What if you were 12 and such and such was happening to you what should you do? or I know someone who

Cargilfield also has an Independent Listener whose name is Morwena Wood. She can be contacted by email il@cargilfield.com and is there to listen and to provide support and advice if you wish to discuss any concerns, complaints or worries you may have. Again, anything you say will be treated in confidence unless there are concerns for your safety or protection. If she needs to share the information you give her, she will tell you who she is sharing it with and why, and ask for your consent to do this. She will also make sure your views are heard and considered.

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

Independent Listener Policy

Cargilfield has in place robust welfare policies designed to provide a supportive community where individuals are safe from harassment, discrimination and bullying and are provided with the means to develop their own personality and talents. Each pupil has a number of different staff available for advice and support including the Headmaster, Mrs Taylor, members of the SMT, boarding staff, school nurse, form tutors, teachers, gap students and any other trusted adult.

However, we do recognise that there may be times when a pupil, particularly one who boards, wishes to speak to someone who is not so directly involved with the School on a day to day basis. The school therefore has a system whereby any child who wishes to talk to an independent adult can do so. Cargilfield's independent listener is a governor of the School, a former parent and a hospital consultant.

The Independent listener system is confidential and the independent listener is under no obligation to inform the school of any call or meetings unless the safety and welfare of the child is potentially at risk. The school also has access to a counsellor should this be required.

Cargilfield's current independent listener is:

Dr Morweena Wood

07984427170

il@cargilfield.com

These details are displayed on the boarding notice boards and in every classroom.

Role of the Independent Listener

- The Independent Listener will act as a confidential and supportive adult to those who wish to discuss concerns, complaints or worries. In a similar way to any member of staff, including the school counsellor, confidentiality cannot be maintained in a case where there is concern for the welfare or safety of the pupil (or others) as a consequence of any discussion with the Independent Listener. In these situations, the Independent Listener should inform the child protection officer (Emma Buchanan) or in her absence the Headmaster. In specific situations, as detailed in the policy and guidance on child protection, the Police or Social Care Direct should be contacted directly by the Independent Listener.
- Other than as set out above, there is no requirement for the Independent Listener to report to the School any of the conversations they have with pupils. However, the Independent Listener, with explicit agreement from/at the request of a pupil, may contact the School to share specific details or raise particular concerns.
- At their discretion, the Independent Listener can report to the Headmaster generic information such as the number of calls they receive.
- The Independent Listener will visit the School on occasion on an informal basis to get to know the pupils.
- There will be no expectation that the Independent Listener make themselves available in person for face-face meetings with pupils.

Guidelines for Parental Volunteers on out of School Visits

Firstly, thank you for volunteering to help. In order to ensure the safety of everyone on out of school visits the following guidelines must be adhered to at all times.

- Please ensure you arrive in plenty of time so the teacher in charge can brief you on what will happen during the visit.
- As a volunteer you must follow any request made by the teacher in charge of any staff of the host venue.
- Children, including your own, are at all times the responsibility of the teacher in charge and must follow their directions. Please help and encourage them to do so.
- Please remember that you have volunteered to help with the whole class and not just with your child. It may be that the teacher in charge thinks your child will get more out of the visit if they are not in the group allocated to you. Children sometimes find it difficult to separate home routines and expectations from home ones.
- Please closely supervise any children you are allocated to ensure they don't wander off and get lost. In an emergency you must carry out any delegated responsibilities to the children placed under your supervision before attending to your own child.
- Before the trip the teacher in charge will give you any necessary risk assessments and policies to read so you know what to do in an emergency situation.
- If you have any questions please speak to the teacher in charge who will be happy to help.

Child Protection: If during the visit you become aware of anything which might pose a threat to a child's welfare then you must inform the teacher in charge straight away. Anything you hear children say directly or indirectly which may be a cause for concern must be reported to the teacher in charge. This must always remain confidential.

Please ensure that at no time are you ever in the position of being with an individual child on your own.

Visit to _____ Class: _____ Teacher: _____

Signature: _____ Date: _____

