

Safeguarding & Child Protection Policy



Plan administration	
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Electronic copies of this plan are available from	Staff Handbook - Whole School Team - Pupils - Child Protection
Hard copies of this plan are available from	PA to the Headteacher
Date of next review	August 2025
Person responsible for review	Child Protection Coordinators

The effectiveness of this SOP will be monitored regularly at SLT meetings and reviewed every year or earlier if required.

Date of Review	Changes/updates/alterations if any	Signed	Date
August 2015	Review - includes SCIS 2015 guidance	D Henderson	
August 2016	Review	D Henderson	
August 2017	Review	L Brynes	
August 2018	Review	L Brynes	
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August 2021	Change in staffing terminology; updated staff lists; external advisors; PVG checks and contractors	J Paterson	31/08/21
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September 2022	Updated school vision; updated reference to most recent SG National guidance; Sub-committee terms of reference added; reference to 'Raising a Wellbeing Concern' form added	S Ross J Paterson	07/09/22
October 2022	Flowchart added; Wellbeing Assessment form added; references to appendices updated.	S Ross	29/10/22
August 2023	Main policy shortened and new appendices created. Change of designation of roles. Governor added to Safeguarding committee.	S Ross	06/08/2023
October 2023	Whistleblowing paragraph added to reflect changes in National guidance 2023.	S Ross	05/10/2023
June 2024	Updates for Appendix 1, 2, 3, & 9.	S Ross	05/06/2024
August 2024	Amendment of whistleblowing paragraph to refer to whole school whistleblowing policy.	S Ross	21/08/2024

Foreword

As a 2 - 18 school, the vision of Hamilton College is **‘by inspiring children, together we can change their future, shape their society and make an impact on our world’**. ‘Safeguarding and Child Protection’ is one of the key policies of the school and contributes to the realisation of this vision. The College expects all staff and volunteers to share this vision and commit to upholding every child’s right to the care and protection that underpins their personal worth and dignity. In this guidance, Hamilton College sets out its principles and procedures for putting into practice its commitment to the well-being and safeguarding of all pupils, from age 2 through to 18 years. This guidance is addressed to all members of staff, governors and volunteers.

Each concern regarding child welfare and child protection must be treated with diligence and with the caring, considerate approach borne of our Christian responsibility to nurture and support the children and young people in our care.

‘Carry each other’s burdens, and in this way you will fulfil the law of Christ’

Galatians 6:2

‘If any of you lacks wisdom you should ask God, who gives generously to all without finding fault, and it will be given to you’

James 1:5

The National Guidance for Child Protection in Scotland (2021) is explicit that everyone in Scottish society has an important part to play in preventing the abuse and neglect of children and young people and in responding to any situation where they think a child may be at risk of abuse or harm. The Scottish Government’s ‘Getting it right for every child’ (GIRFEC) threads through all existing policy, practice and legislation affecting children, young people and families. It impacts on all services for children: building from universal services, to early intervention to intensive/acute services to support best practice and outcomes for children.

This policy provides the framework for promoting, supporting and safeguarding the wellbeing and protection of all children and young people. It is intended to assist the Headteacher, SLT, Governors, Teachers and Support staff to apply their skills collectively and effectively to develop a shared understanding of their common objective - to support and protect children, particularly those who are most vulnerable. It also serves as a resource for staff giving guidance on practice and key issues in child protection.

This policy is based on the SCIS Guidance on Child Protection (August 2019) and reflects the policies and procedures within Hamilton College.

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1. INTRODUCTION

In the refreshed National Guidance for Child Protection in Scotland (2021)¹, the Scottish Government has articulated its vision for Scotland's children - that all children and young people² have the right to be cared for, protected from harm and abuse and to grow up in a safe environment where their rights are respected and their needs met. The guidance is also explicit in that everyone in Scottish society has an important part to play in preventing the abuse and neglect of children and young people and in responding to any situation where they think a child may be at risk of abuse or harm.

Core principles, values and shared standards of practice form the foundation for effective child protection practice, and include key legislation and guidance, namely the UN Convention on the Rights of the Child³ and GIRFEC⁴ which is enshrined in the Children and Young People (Scotland) Act 2014.

Education staff have a crucial role to play in shaping the lives of children and young people. They have unique opportunities to interact with them in ways that are both affirming and inspiring and to ensure that they are safeguarded and protected. 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. All members of staff have a professional responsibility to follow the school's policy.

Education staff may be the first to be aware that families are experiencing difficulties in looking after their children. They are uniquely placed as there are opportunities within the context of school life for identifying concerns that a learner may be being abused or is at risk of significant harm which could otherwise pass unnoticed.

Learners should be informed that it is legitimate for them to raise concerns with staff about their own wellbeing and protection. Parents/carers should be advised that it is legitimate for them to express concerns to a Child Protection Co-ordinator, the Headteacher or a member of the Board of Governors if they feel that a child may be being abused or is at risk of harm.

1.1 Principles of Child Protection

- Child protection is everyone's responsibility.
- Staff should 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, racial origin, disability, gender, language, sexual orientation, gender reassignment, religion or belief have a right to protection.
- All professionals should 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 and report on the day.
- Children have a right to express 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. Schools should work with Social Work (Children and Family Services), the Police, Health Services and other services to promote the wellbeing and protection of children

¹ National Guidance for Child Protection in Scotland 2014 <http://www.gov.scot/Resource/0045/00450733.pdf>

² The terms 'children' and 'young people' are used interchangeably throughout this policy.

³ UN Convention on the Rights of the Child <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

⁴ Children and Young People (Scotland) Act 2014 <http://www.gov.scot/Topics/People/Young-People/gettingitright>

and young people and protect them from harm. This includes providing a coordinated approach of 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.

- It is a major decision to refer a child or young person to another agency. The designated Child Protection Coordinator or Depute Child Protection Coordinator will take responsibility for initiating statutory procedures for dealing with suspected cases of child abuse and will be the link with external agencies regarding safeguarding and child protection.

1.2 Review of this Policy

This policy will be regularly reviewed in accordance with changes in legislation and guidance on the protection of children.

2. HANDLING CHILD PROTECTION ISSUES: A BRIEF OVERVIEW

With the needs of children, young people and staff in mind, we provide clear guidelines to staff on handling concerns or disclosures on child protection. These are presented in this section.

2.1 Types of Abuse

Child abuse can involve one or more of the following:

- physical abuse
- emotional abuse
- sexual abuse
- neglect.

A child's whole circumstances must be taken into account. It is also important to remember that injuries may have occurred through genuine accidents or medical disorders. Further investigation will be undertaken by the appropriate outside agency.

Children with Additional Support Needs can be especially vulnerable. Disabled and deaf children are three times more likely to be abused than their peers. These children can face additional barriers when recognising abuse and neglect.

2.2 Outside Agencies

If outside agencies are involved, they may include:

- Social Work departments, who may give informal advice or initiate statutory action
- The Police, who may be involved at the request of the school depending on the circumstances or by the Social Work Department. The Police may report the circumstances to the Procurator Fiscal.
- SCRA (Scottish Children's Reporter), who may require occasional reports from the school, or who may be contacted by Police or Social Work.
- a local lead clinician who may be approached for medical advice.

A list of telephone numbers is held by the Child Protection Co-ordinator and the Depute CPC. For a list of useful contacts, which is non-exhaustive, see appendix 6.

2.3 Governance. (see Appendix 12 For Terms of Reference)

In addition to the Child Protection Coordinator and Depute Child Protection Coordinator, a nominated governor has a Safeguarding and Child Protection remit. The nominated Child Protection Governor link chairs a Safeguarding & Compliance sub-committee to ensure that policies and procedures are robust. Responsibilities include the monitoring, auditing and quality assurance of child protection within

Hamilton College, through discussion of policies, anonymous cases and the sharing of good practice. Meetings are held once a term, and also as and when required
Its members are -

- Mrs Margaret-Anne McMahon (Child Protection Governor Link - chair of the committee)
- Mrs Penny Simpson (Chair of Board of Governors)
- Mr Stuart Ross (Child Protection Coordinator)
- Mrs Jenny Paterson (Depute Child Protection Coordinator)
- Mr Jim McClafferty (Governor)
- External advisers as appropriate

2.4 Child Protection Coordinators

The key safeguarding roles within Hamilton College are currently held by the following -

Child Protection Coordinator:	Mr Stuart Ross
Depute Child Protection Coordinator:	Mrs Jenny Paterson

The Child Protection Coordinators meet once a month to discuss Child Protection Cases. Where required they will meet more frequently to discuss ongoing cases.

2.5 NOTIFIABLE EVENTS

Where disciplinary action is taken to remove an individual from regulated work as a result of harmful behaviour towards a child or vulnerable person, the school has a duty to refer the individual to the PVG Scheme (Protection of Vulnerable Groups). Certain child protection allegations, or significant events, will require other agencies to be notified. Those who should be notified include -

General Teaching Council for Scotland (GTCS)
Office of Scottish Charity Regulator (OSCR)
Scottish Council of Independent Schools (SCIS)
Registrar of Independent Schools
Link HMle
Care Inspectorate (where relevant)

If the event is of a criminal nature the police will be involved and will take the lead and advise the Head of School and Board of Governors on who else should be informed. OSCR has a notifiable events email for such notifications.

3. RESPONDING TO CONCERNS/ALLEGATIONS OF ABUSE ABOUT CHILDREN

3.1 Introduction

All staff who work with children and their families have a role to play in child protection. That role will range from identifying and sharing wellbeing as well as child protection concerns about a child or young person, to making an active contribution to supporting the child or young person and their family. Staff should be alert to signs that a child may be being abused (see Appendix 5).

It is essential that all staff follow a standard procedure in the event of concerns arising about a child protection issue. A staff member who has a general concern about the welfare of a child must observe, record and complete a **'Raising a Wellbeing Concern'** form, which alerts the Child Protection coordinators about their concern and any advice will be given on the best course of action.

3.2 How Concerns May Arise

Concerns about child abuse may arise in the following circumstances:

(i) A member of staff has concerns, or a child tell a member of staff they have been abused

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 fill in the '**Raising a Wellbeing Concern**' form (Appendix 5). 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. All responses should be proportionate. 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 e.g. '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. Staff should:

1. Respond without showing signs of disquiet, anxiety or shock.
2. Listen sympathetically and with care.
3. If necessary, enquire about how an injury was sustained or why a child appears upset by using the 'W' Questions - What happened? Where did it happen? Who did It? When did it happen?
4. Do not interrogate or enter into detailed investigations; rather encourage the child to say what he or she wants to establish the basic facts.
5. Observe carefully the behaviour or demeanour of the child or the person expressing concern.
6. Reassure the child that he/she is not to blame.
7. Do not show disbelief.
8. Do not give a guarantee of confidentiality.
9. Take the allegation seriously.
10. Affirm the child's feelings as expressed (don't tell the child how he/she should feel).
11. Avoid being judgemental about the information given by the child.

Questioning and testing of evidence is not a matter for school staff; this is the responsibility of the police and social work. Such an approach by staff could prejudice later investigations. The role of school staff is to **recognise, respond, report and record (the 4 R'S)**:

1. **Recognise** when the child's behaviour and demeanour is a cause for concern or they have told you something that suggest that they may be at risk of harm.
2. **Respond** by following the guidance below.
3. **Report** their concerns as quickly as possible and on the same working day to one of the Child Protection Coordinators.
4. **Record** in detail on the Child Protection Concern Form and sign and date the form 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.

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 complete a '**Raising a Wellbeing Concern**' form, which alerts the Child Protection Coordinators that the child appears to have some concerns. No child should be exposed to danger where someone knew of that danger and it is everyone's responsibility to ensure that agencies responsible for the protection of children are informed without delay.

In any circumstance where a Child Protection Coordinator or a senior member of staff is not available or cannot be contacted, staff must (without delay) refer their concern to Social Work (Children and Family Services) or police for advice.

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

(ii) 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, record, sign and date the information. They should also explain to the person that they cannot give a guarantee of confidentiality. Where the contact wishes to remain anonymous, the member of staff should refer the concerns to one of the Child Protection Coordinators who will explain to the referrer the actions that will be taken. 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 by telling them what they are going to do next.
- **Report** the matter to one of the Child Protection Coordinators.
- **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. No absolute guarantee of confidentiality can be given. The information disclosed may be of such a nature that the staff member must pass it on in order to protect a child.

(iii) 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:

- **Record** in writing the words used, so far as possible, where the allegation is by telephone, or retain the paper, where it is in writing.
- **Report** the matter to one of the Child Protection Coordinators.

Checklist for Staff - In all cases if:

- you suspect a child may have been abused or is at risk of abuse or significant harm;
- a child discloses abuse;
- a third party expresses concerns to you;

...you must complete a 'Raising a Wellbeing Concern' form.

3.3 Action by Staff in Exceptional Cases

By law, any person with concerns about a child has a right to make a report direct to SCRA (Scottish Children's Reporter) where the concerns are such the child may need compulsory measures of care. 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 Headteacher, the Lead Safeguarding Governor or the Reporter.

3.4 Action by the Child Protection Co-ordinators

All cases of alleged or suspected abuse must be treated seriously. A **Wellbeing Assessment Form** (Appendix 9) will be completed to ascertain next steps in the process. Some may require an urgent response. If the CP Coordinator 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, he/she will follow their Child Protection Procedures stating the concerns clearly and the basis for them.

In cases where there is a high degree of suspicion, or in cases where the issues are not so clear or so urgent, the following procedure can usefully be followed in order to focus and test the strength of concerns about a child. It should always be borne in mind that it is not the school'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 (Children and Family Services) 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 Social Work (Children and Family Services) and police authorities. The school will seek guidance and advice from Social Work (Children and Family Services) when concerns arise.

The CP Coordinators will collate all relevant information held by the school on the child and complete Part 2 of the Child Protection Concern Form (see Appendix 5), sign and date it and include the reasons for the decision to make or not make a formal child protection referral to the statutory agencies. Referrals should 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, Social Work (Children and Family Services) should still be advised of the circumstances of the allegation and the school's doubts about it. Consideration should be given to the provision of support for the child and for the member of staff who made the report. The Head Teacher and CP Coordinators will discuss incidents in confidence and, where appropriate, inform the Lead Safeguarding Governor of the incident. The names of the people involved should not be disclosed in this report unless there are exceptional reasons for doing so.

If, after consideration and consultation, the concern does reach the level of child protection, the Child Protection Coordinators will decide what course of action or support should be pursued. In this event it is likely that the Child Protection Coordinators will request pastoral support for wellbeing concerns to be addressed by the Nursery Manager, class teacher in Junior School, or a member of the Pupil Support team in the senior School.

3.5 Child Protection Stages

Formal child protection measures can be broadly divided into a number of different stages:

- recognising actual or potential harm to a child;
- sharing concerns and initial information-gathering;
- joint investigation/assessment;
- medical examination and assessment;
- Child Protection Case Conference; and
- developing a Child Protection Plan.

At each stage, consideration must be given to whether emergency action is required to protect the child and to involving the child or young person and their family. Investigating services are responsible for considering, at all stages, whether the child's safety is at risk.

3.6 A Child who is at Immediate Risk of Harm

Where a child is felt to be in immediate danger the Head Teacher/Child Protection Coordinators should report, without delay, directly to the police. Similarly, where a child is thought to require immediate medical assistance, this should be sought as a matter of urgency from the relevant health services.

3.7 Allegations of Abuse against Staff

The procedures for dealing with allegations of abuse need to be applied with common sense, proportionality and judgement. Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse is dealt with quickly, in a fair and consistent way that provides effective protection for the child and, at the same time, supports the person who is the subject of the allegation. Allegations may be genuine, malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

Any allegation of child abuse against a member of staff must be taken seriously and acted on. The Head Teacher and CPC should be informed immediately.

3.7.1 Where the Allegation Suggests Possible Child Abuse

Any allegation of child abuse against a member of staff must be taken seriously and acted on. The Head Teacher and CPC's should be informed immediately. If the person is deemed to be an immediate risk to children or there is evidence of a possible child abuse, advice should be taken by either the CPC or the Head of School from the Police or Social Work (Children & Families), on the day (including when and what the member of staff can be told) before anyone is questioned to ensure best evidence is preserved. If the Police inform the school that they are proceeding with a criminal investigation, advice should be taken from the Investigating Officer what information (either orally or in writing) can be given, and when, to the member of staff involved in the allegation. The Chair of the Board of Governors should be informed by the Head of School as a matter of urgency.

The Scottish Government issued advice⁵ on reporting restrictions preventing the publication of any material that may lead to the identification of any member of staff in a school who has been accused by a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence. The reporting restrictions are lifted if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so.

Taking the above into account, the Head of School should organise an inter-agency strategy meeting and take advice from Police and Social Work (Children and Family) Services and agree the following:

- who needs to know and, importantly, exactly what information can be shared;
- how to manage speculation, leaks and gossip;
- what, if anything, can be shared with parents.

3.7.2 Where the Allegation Does Not Meet the Criteria at 4.7.1

If the information is unclear, the basic facts should be established using open-ended, nonleading questions (the 'W' questions: What? When? Where? and Who? if appropriate) and a decision made as to

⁵ [Reporting Restrictions](#)

what action the school needs to take. If during the establishing of the basic information, it becomes clear that the status of the initial information has changed (e.g. the person is deemed to be an immediate risk to children or information suggests possible child abuse) or if you have any doubt, you should follow the guidance at 2.5.1 and take advice from the Police.

Where the information 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 should 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 should always be informed that such an allegation has been made.

3.7.3 Supporting the Member of Staff

Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action (with the provisos outlined at 4.7.1). The individual should be advised to contact their Professional Association/Trade Union representative, if they have one, or a colleague for support. They should also be given access to counselling or medical advice where this is provided by the employer.

Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence. If so, this should be discussed with the Investigating Officer in the Police.

3.7.4 Precautionary Suspension

Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children and young people at the school or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step. The school will have to consider the need to ensure that children and young people are protected while an allegation is under investigation. A precautionary suspension, without prejudice to the member of staff, for the duration of the investigation, should be considered by the Head Teacher 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.

The Police or Social Work (Children and Family) Services cannot require the Head of School to suspend a member of staff. The power to suspend is vested in the Governors. However, where the initial evaluation or an inter-agency discussion concludes that there should be enquiries by Social Work (Children and Family Services) and/or an investigation by the Police, the Head of School as part of a risk assessment should seek the views of the Investigating Officer and Social Worker about whether the member of staff needs to be suspended from contact with children in order to inform consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

Where the member of staff concerned has had contact with a number of children, consideration should be given to the possibility that others may also have been affected. If a decision is made to suspend the member of staff, there should be no delay in taking action, including during school holiday periods. The member of staff should be informed immediately and informed 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 school should 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 subjective, advice should be sought from the Investigating Officer in the Police who may need to discuss the matter with the Procurator Fiscal.

In the infrequent event of a second allegation being made, the school would have to consider informing all parents. Experience has shown that, 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 (Children and Family) Services, the school will wish to ensure that it is seen to be co-operating and responding appropriately to the legitimate concerns of parents or carers. In this situation, legal advice should 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 should be sent to the parents or carers without clearing it with the Investigating Officer in the Police 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. In cases where abuse of a child is suspected, after consulting with Police, Social Work and the Procurator Fiscal about compliance with legal requirements, the school should, if appropriate, enable parents (with appropriate consents), to seek counselling for individuals affected. Should the allegations be proven, parents or carers should be informed of the facts and of the action taken by the school. If, after Police and Social Work (Children and Family Services) 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 may be appropriate in some circumstances (see Section 2.2g). 15 2.5.5 Allegations against the Head of School

In cases where the member of staff against whom the allegation is made is the Head of School, the Chair of Governors should 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 this Guidance. Governors are advised to take independent advice on the matter to avoid any suspicions of a 'cover-up'.

Whistleblowing

If a member of staff believes that their superiors (including management, senior leadership or the Child Protection Co-ordinators) are not dealing with a Child Protection Concern appropriately (including when allegations of harm are dismissed or minimised) then they should follow the School's Whistleblowing Policy. As part of the Whistleblowing Policy, members of staff can contact the Chair of the Board, to escalate their concern, however, they are also entitled to contact the local Social Work Department or Police Scotland without delay.

3.7.5 Unfounded Allegations

If after due consideration, the conclusion is that the allegation is completely unfounded, the decision to take the matter no further should be recorded, together with the reasons for it, and the information placed in a confidential file. If an allegation is shown to be deliberately invented or malicious, the Head Teacher, should consider whether any disciplinary action is appropriate against the pupil who made it or whether the Police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil. The CPC should refer the matter to Social Work to determine whether the child concerned is in need of services, or may have been abused by someone else. The member of staff may wish to seek advice and support from their professional association in these circumstances.

3.7.6 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. Schools should ensure that all staff, including Exchange Teachers and Gap Students, are aware of their responsibilities and boundaries of relationships with pupils and be issued with, and sign for, a Code of Conduct.

3.7.7 Confidentiality

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

3.7.8 Where a Member of Staff Resigns or Fails to Cooperate

If the member of staff resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the protection of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the member of staff should be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated on the basis of all the information available should continue even if that cannot be done or the member of staff does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person's notice period expires. Such an agreement will not prevent a thorough Police investigation where that is appropriate.

3.7.9 Record Keeping

Details of allegations that are found to have been malicious should be removed from Personnel Records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept in the confidential personnel file of the member of staff, and a copy provided to the person concerned. These records should be held in line with the General Data Protection Regulation (GDPR)⁶

The purpose of the record is to enable accurate information to be given in response to any future request for a reference and, where relevant, to also adhere to the Duty of Candour legislation.⁷ It will provide clarification in cases where future PVG checks reveal information from the Police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the member of staff has reached normal pension age or for a period

⁶ [GDPR](#)

⁷ [Care Inspectorate Duty of Candour](#)

of 10 years from the date of the allegation if that is longer. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.⁸

Cases where an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

3.7.10 Non-recent Allegations of Abuse (previously known as ‘Historical’ Abuse’)

Refer to Section 7.22 - ‘Specific Circumstance Advice.’

3.8 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. All staff are aware of their responsibilities and boundaries of relationships with pupils and will have signed the Code of Conduct for Staff, Volunteers, & Adults Working with Children.

3.9 Children & Young People who Display Harmful Sexual Behaviours including Sexual Violence and Harassment

Harmful sexual behaviours in children and young people can be difficult to identify and evaluate. It is not always easy to distinguish between what is abusive and/or inappropriate and what constitutes normal childhood exploration or adolescent experimentation. Professionals’ ability to determine if a child’s sexual behaviour is developmentally typical, inappropriate or abusive will be based on an understanding of what constitutes healthy sexual behaviours in childhood as well as issues of informed consent, power imbalance and exploitation. In managing and reducing risk, the diversity of potential behaviour must be taken into account. Children and young people display a wide range of sexual behaviour in terms of: the nature of behaviour; degree of force; motivation; level of intent; level of sexual arousal; and gender of victims. Broader developmental issues must also be taken into account, including the age of the young person, their family and background, their intellectual capacities and stage of development. Young people with learning difficulties form a particularly vulnerable group who may need specific types of interventions.

Where abuse of a child or young person is alleged to have been carried out by another child or young person, such behaviour should always be treated seriously and be subject to a discussion between relevant agencies that covers both the victim and the perpetrator.

Sexual violence includes rape, assault by penetration and sexual assault. Sexual harassment is ‘unwanted conduct of a sexual nature’. It is likely to violate a child’s dignity, and/or makes them feel intimidated, degraded or humiliated and/or creates a hostile, offensive or sexualised environment.

Sexual violence and sexual harassment can occur between two children of any sex. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can

⁸ [ICO - Employment](#)

occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Schools should consider the following:

- It is more likely that girls will be the victims of sexual violence and more likely that sexual harassment will be perpetrated by boys.
- Making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up.
- Not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- Challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts, vaginas and penises. Dismissing or tolerating such behaviours risks normalising them.

APPENDIX 1

Specialist Training

The Child Protection Coordinator, Depute Child Protection Coordinator and Headteacher have all attended SCIS Child Protection Courses.

Other training of note includes -

CEOP (Child Exploitation & Online Protection) Ambassador

Stuart Ross		
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CEOP (Child Exploitation & Online Protection)

Dave Browning		
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SafeTALK (Suicide Awareness for Everyone)

Lois Smith	Stuart Ross	

ASIST (Applied Suicide Intervention Skills Training)

Jeni Lennox		

Mental Health First Aid for Young People

Jenny Paterson	Angela Borland	Dave Browning
Grace Stewart	Laura Duncan	Nathan Purton
Clare Ford	Heather Stark	Elizabeth Furie
Lois Smith	Gillian Kerr	Scott Kelly
Jeni Lennox	Phil MacFarlane	
	David Mitchell	

A number of staff have also attended training on various topics including, but not limited to - mental health awareness, responding to self-harm/harm reduction, depression and self-harm in young people, young people and sexual offending.

All staff have completed WRAP Prevent Training (September 2023).

Hamilton College Code of Conduct for Staff, Volunteers, & Adults Working with Children



Staff (hereafter referring to Staff, Volunteers, & Adults Working with Children) are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions. Staff interactions with learners must be transparent and they should always be wary of allowing situations to develop which could lead to allegations of impropriety. Staff are required to sign that they will abide by this Code of Conduct.

Safe Physical Contact

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 working with children must operate within understood limits, and that contact outside 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 and responsibilities of the member of staff. Any physical contact or comforting should be age appropriate; context specific, best practice would be to do this within the vision of others and prompted by the needs of the child not those of the staff. Careful judgement is important, within the context of the specific situation.

One-to-One Situations

Opportunities for abuse exist in all schools, and in one-to-one situations, e.g. tutorials, music lessons, one-to-one tuition, pastoral interviews, first aid rooms. The simplest advice would be to try, as far as possible, to avoid being alone with a child or young person. However, for some staff this is unrealistic as the context of their job is teaching in one-to-one situations, e.g. Instrumental Music Instructors. This would be considered appropriate for the purpose of education and an example of Non-restrictive physical intervention (see Safe Physical Contact & Intervention Policy for further details).

Good Practice Advice:

- Where one-to-one contact is appropriate, it should be officially 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 meeting and its purpose.
- If possible, doors should have built-in windows.
- Do not meet learners off school premises for personal reasons.
- Do not invite learners to your home.
- In order to protect learners and prevent conflict of interest, it is not recommended that learners babysit/childmind the children of staff.
- Most one-to-one meetings will be straightforward and uneventful. But where the meeting is difficult, fraught, tense, and accusatory or the learner becomes distressed, the adult must record details and inform a member of SLT of the incident.
- If in doubt about a meeting, agree that a colleague will be nearby.

- School trips/excursions out of the school, especially residential stays, can provide opportunities for abuse. The trip should be authorised and where relevant appropriate PVG checks undertaken, and risk assessments completed. (See also Section 2.13 on School Trips)

Safe Physical Contact and Intervention

- Physical contact should only be for the purpose of care, instruction, health and safety, physical intervention or restraint.
- Physical intervention can be reduced by applying a positive and proactive approach to behaviour management and support.
- Where possible, initial responses should be to de-escalate and divert before considering physical intervention.
- Reasonable force can be used to prevent learners from harming themselves or others, from damaging property, or from causing disorder. No more force than is required should be used in any situation.
- Pupil-led withdrawal or Staff-led withdrawal (see Safe Physical Contact & Intervention Policy for definitions of these terms and further details) can be applied as a de-escalation strategy and help prevent the need for more a serious level of physical intervention.
- Restraint means to hold back physically or to bring a learner under control. It is typically used in more extreme circumstances, for example when two learners are fighting and refuse to separate without physical intervention.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- School staff should always try to avoid intervening in a way that might cause injury.
- Where possible, another member of staff should be summoned to witness and give support. As soon as the child is safe from harm, staff should cease any physical contact. All incidents of physical intervention or restraint should be logged, dated and signed in a log kept for that purpose (see Safe Physical Contact & Intervention Policy for details on how to do this).

Educational Instruction Involving Physical Contact

- Educational instruction can involve the need for some physical contact. 'Hands on' educational instructions or 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 must seek the child's permission, appropriate to their age and level of understanding, and explain to them what you are about to do and why it is helpful.

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. What is described as 'banter' is inappropriate and must be avoided. A professional approach towards positive engagement and support should always be adopted.
- 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 fall into this category.
- Staff should avoid making unfavourable comparisons to a child and 'picking on' particular children.

Electronic Communication with Learners and Social Media

- Any electronic communication with learners should be in line with school policy, for educational purposes and approved by the Senior Leadership Team. This should be through school email, via the schools VLE or through the schools Office 365 platform. All of which can be tracked and monitored for appropriate use and have protection for both the member of staff and the child.
- A teacher can be vulnerable to unintended misuse of electronic communication. Email, 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 learners in any environment that they would not willingly or appropriately share in a school or school-related setting. Staff should not be in contact with learners via text, phone calls or social media platforms.
- Further advice for teachers is provided by the General Teaching Council for Scotland.

Relationships with Learners

- Unless staff have already established relationships with a learner(s) through friendships with parents or with their own children, they should not have contact with learners for the purpose of securing a personal friendship or relationship.
- Staff need to be aware that it is not uncommon for learners 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 constitutes a 'Position of Trust' offence.
- 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, you should seek advice and support from the Headteacher/Child Protection Co-ordinator so that appropriate action can be taken.
- If it seems that a young person is becoming inappropriately attached to you or to another member of staff, you should share your concerns and seek advice from the Headteacher/Child Protection Co-ordinator.

Whistle Blowing

- Whistleblowing is the mechanism by which staff can voice their concerns made in good faith, without fear of repercussion.
- 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 respect and openness within the classroom and school community where learners 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 Headteacher/Child Protection Co-ordinator.
- If the concern is about the Child Protection Co-ordinator it should be reported to the Headteacher and if it is about the Headteacher it should be reported to the Lead Safeguarding Governor.

Transporting Children and Young People

- In certain situations, staff may agree to transport children. This should be approved by SLT. 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.

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/shaking
	Pushing/jabbing
	Throwing missiles
Emotional	Inappropriate/systematic sarcasm
	Isolating e.g. locked room
	Unfavourable comparisons
	Threats
	Intimidation
Sexual	Scapegoating
	Systematic personal criticism
	Inappropriate electronic communication
	Any sexual activity with a learner
	Inappropriate touching/comforting
	Suggestive remarks or gestures
	Sexual harassment
	Indecent materials
	Grooming a child for abuse
	Any inappropriate online contact including sending indecent images

From time to time, all staff should reappraise their relationships with learners and ask themselves: ‘Are my actions fair, reasonable, warranted, proportionate, measured, safe and applied equitably?’ to ensure that they give no grounds for any doubts in the minds of colleagues, learners, or parents. For most staff this Code of Conduct will serve only to confirm what has always been best practice.

Updated: June 2023 by SLT

APPENDIX 3

Annual Staff Confirmation of Safeguarding Expectations



This confirmation form should be signed and passed to the Pastoral Administrator or Child Protection Coordinator

I confirm that I have read, understood and agree to abide by the Hamilton College **Safeguarding & Child Protection Policy**.

I am aware of my responsibility to take advice from the appropriate member of staff (Child Protection Coordinators) if I have a wellbeing and/or child protection concern about a child.

Name	
Position	
Signed	
Date	

I confirm that I have read, understood and agree to abide by the **Hamilton College Code of Conduct for Staff, Volunteers & Adults Working with Children**.

I am aware of my responsibility to take advice from the appropriate member of staff (Child Protection Coordinators) if I have a wellbeing and/or child protection concern about a child

Name	
Position	
Signed	
Date	

I confirm that I have read, understood and agree to abide by the Hamilton College **Safe Physical Contact and Intervention Policy**.

I am aware of my responsibility to take advice from the appropriate member of staff (Child Protection Coordinators) if I have concerns about implementing this policy and if I have a wellbeing and/or child protection concern about a child.

Name	
Position	
Signed	
Date	

I confirm that I have read, understood and agree to abide by the **GTCS Professional Standards for Scotland's Teachers**.

I am aware that this is the minimum standard expected of me in this regard and of my responsibility to take advice from the appropriate member of staff (Child Protection Coordinators) if I have a wellbeing and/or child protection concern about a child.

Name	
Position	
Signed	
Date	

APPENDIX 4

HAMILTON COLLEGE POLICY ON CONFIDENTIALITY

The policy of the school is to work in partnership with parents and carers in order to promote the wellbeing based on the SHANARRI indicators of children and young people. The school also aims to build up relationships of trust with pupils. Pupils, parents and carers should feel able to raise with the school concerns about the wellbeing and safety of their own child or any other child in the knowledge that these matters will be dealt with sensitively.

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 will operate on the presumption that anything imparted in confidence will be treated in confidence. This is subject to four qualifications:

- i. 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.
- ii. If concerns are raised about the safety or protection of a child, in line with the school's Child Protection Procedures, staff are required to pass that information on to the CPC.
- iii. 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.
- iv. 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 or carers. While staff will always encourage and support pupils to share the information with parents and carers, there may be circumstances in which any pressure to pass the information on could not be in the pupil's best interests and 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. The debates surrounding children's right to confidentiality are not new. Children may choose to contact Childline services, where they can communicate at their own pace and retain control of what happens in the majority of cases.

Furthermore, as articulated in the National Guidance on Child Protection for Scotland 2014: 'many young people need the time and space that such confidential services can offer to talk about their problems with someone who can listen and advise without necessarily having to refer.' (Para 100). In addition, they can use the 'For Me' which is the first app to provide direct counselling to young people through a mobile device and is free to download from Childline.

There is also evidence from young people's sexual health services that confidentiality is the crucial factor in young people accessing services. In Scotland, the 'National Guidance - Under Age Sexual Activity: meeting the needs of children and young people and identifying child protection concerns' (Scottish Government, 2010) provides guidance for setting up protocols for practitioners around assessing needs and risk when working with young people under 16 who may be at risk of harm through early sexual activity. The guidance while advising practitioners to ask young people to share information with their parents or carers establishes an overriding principle that the confidentiality rights of children and young people should be upheld, unless there is a child protection concern.

Parents should be reassured that 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.

Staff in school want you to feel that you are happy and getting the best of the opportunities that the school provides during the time you are with us. 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 the responses you can expect from staff and the various options you have for getting the help you need when you need it.

At the heart of the Children and Young People (Scotland) Act 2014 is the wellbeing of all children and young people in Scotland. This is known as Getting It Right For Every Child (GIRFEC) and covers children and young people up to the age of 18. Wellbeing, under this Act, is defined in relation to eight indicators representing the key areas that are essential to enable children and young people to flourish. These are that children and young people should be:

- Safe; Healthy; Achieving; Nurtured; Active; Respected; Responsible and Included.

For the majority of children and young people, these needs will be met by their parents or carers or the routine support provided by the school. For pupils who need extra support every school has someone whose job it is to organise additional help for pupils. Where this happens, your consent and your views will be taken into account. That person should also tell you if they need to share the information, who they are sharing it with, and why.

If you find yourself in a situation where:

- you have something important to talk to staff about;
- you are worried about things that are happening to you;
- you need help or you need to know how to seek help.

The staff are there to listen and to help - they will try to do their best for you.

The school's response is that anything you say in confidence will be treated in confidence unless there are concerns about your safety or protection. This would need to be shared with others, but staff would tell you first. They should also tell you who they are sharing it with and why.

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

- Using a hypothetical concern and seek advice e.g. What if you were 15 and such and such was happening to you what should you do? or I know someone who -----
- 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.
- You can also use the Childline '*For Me*' which is the first app to provide direct counselling to young people through a mobile device and it's free to download.
- Childline also provides 1-2-1 chat with a counsellor. You can send an email or write a letter to *Ask Sam about the issues* that affect them. 'Sam' responds to a cross section of the letters that young people have sent and young people can search the archive of letters for advice and information.

APPENDIX 6 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 coexist.

1. PHYSICAL ABUSE

Signs of possible physical abuse:

- Unexplained injuries or burns, particularly if they are recurrent
- Bruising on non-independently mobile infants
- 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:

(i) Behavioural

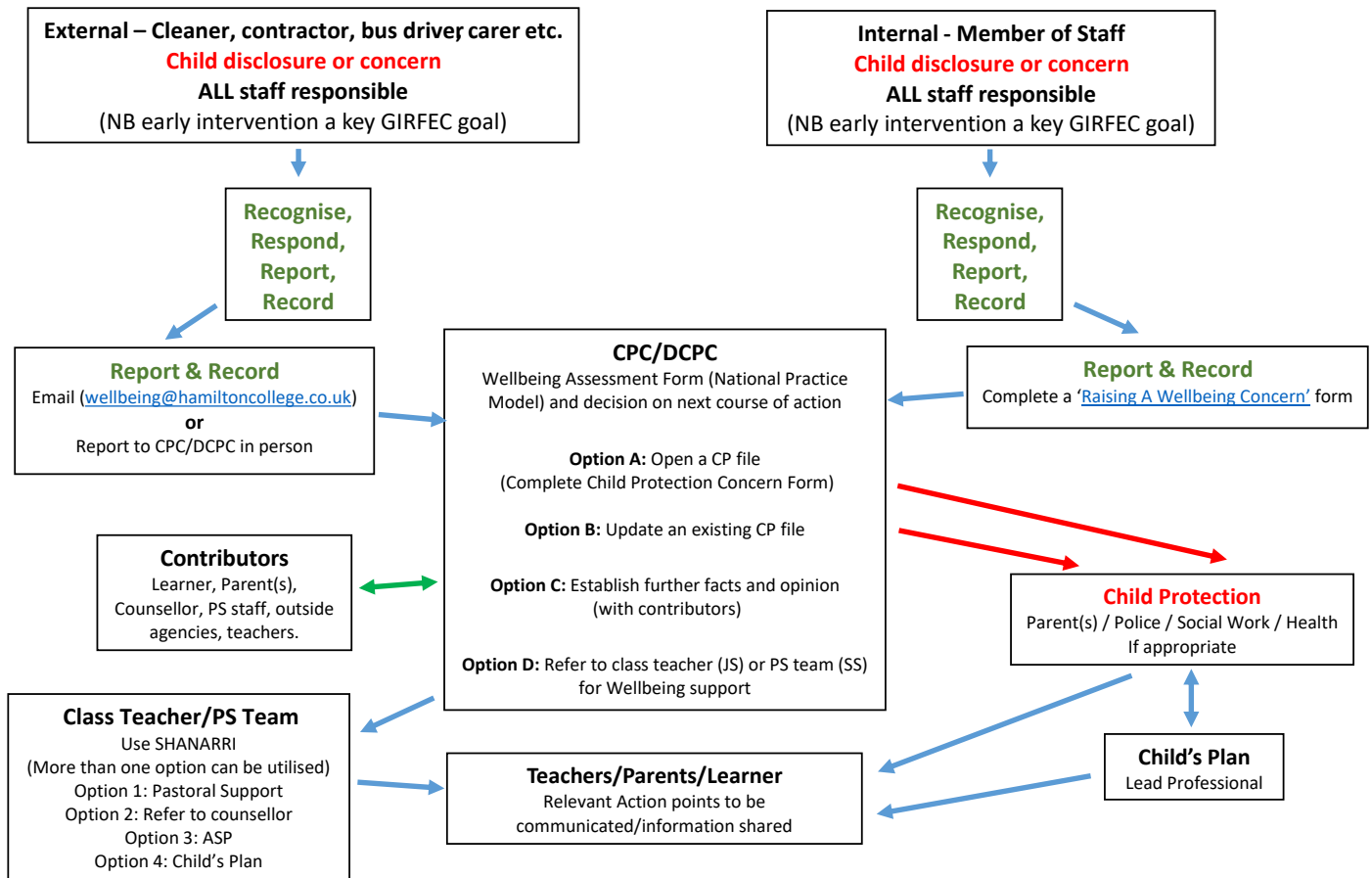
- Lack of trust in adults or over familiarity with adults
- Fear of a particular individual
- Social isolation withdrawal or introversion
- Sleep disturbance (nightmares, irrational fears, bed wetting, fear of sleeping alone, needing a nightlight)
- Running away from home
- Girls taking over the mothering 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

(ii) 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 attempts

GIRFEC - SAFEGUARDING FLOW CHART



RAISING A WELLBEING CONCERN Form



PART 1: **To be completed by the person who is reporting the concern.**

This form is an example of the online format using Microsoft Forms. The staff member must fill in:

1. **Child/Young Person's Name and Class**
2. **Select which SHANARRI Indicators (Safe, Healthy, Achieving, Nurtured, Active, Responsible, Respected and Included) apply.**
3. **Write up the details of the concern.**

The CPC's are alerted immediately that a concern form has been filled in. The CPC's then assess the details and action next steps as appropriate, on completion of a Wellbeing Assessment Form. Copies of the form will be stored as listed in the policy.

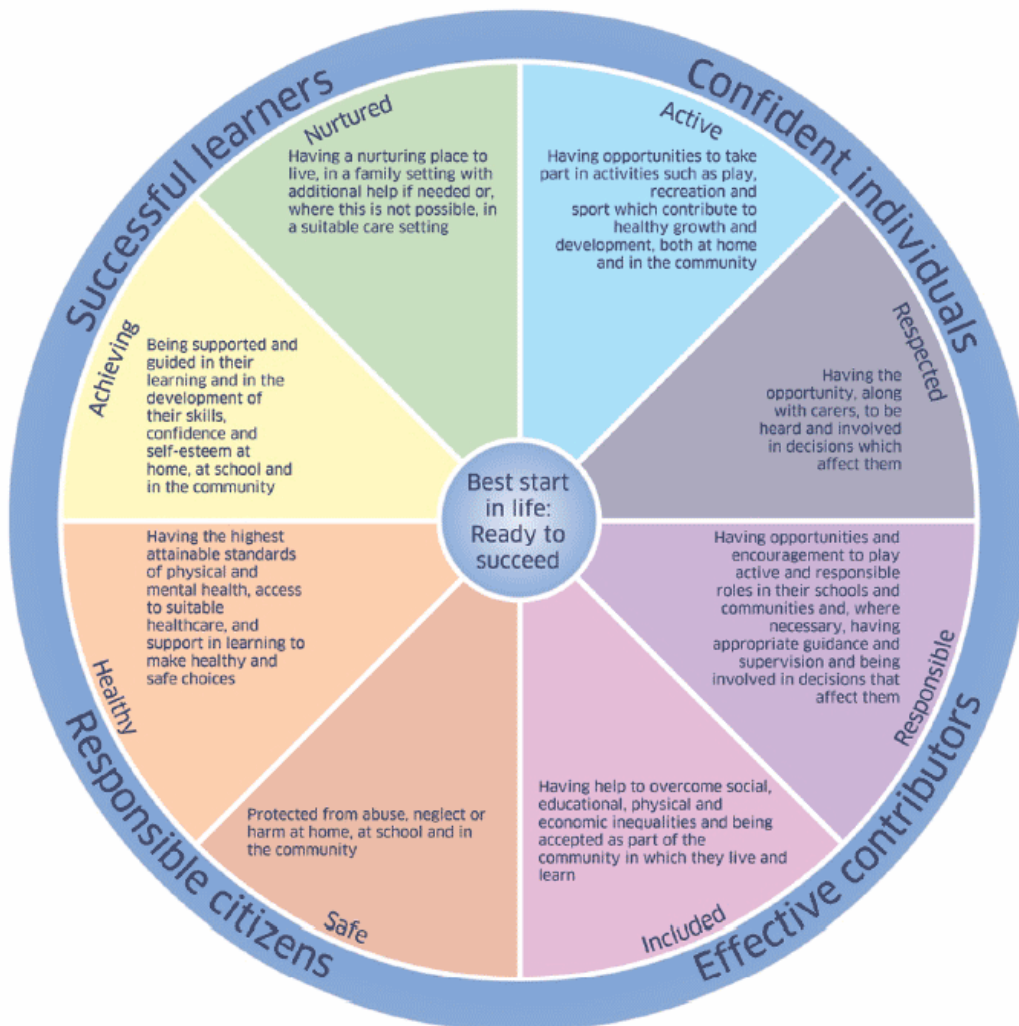
APPENDIX 9

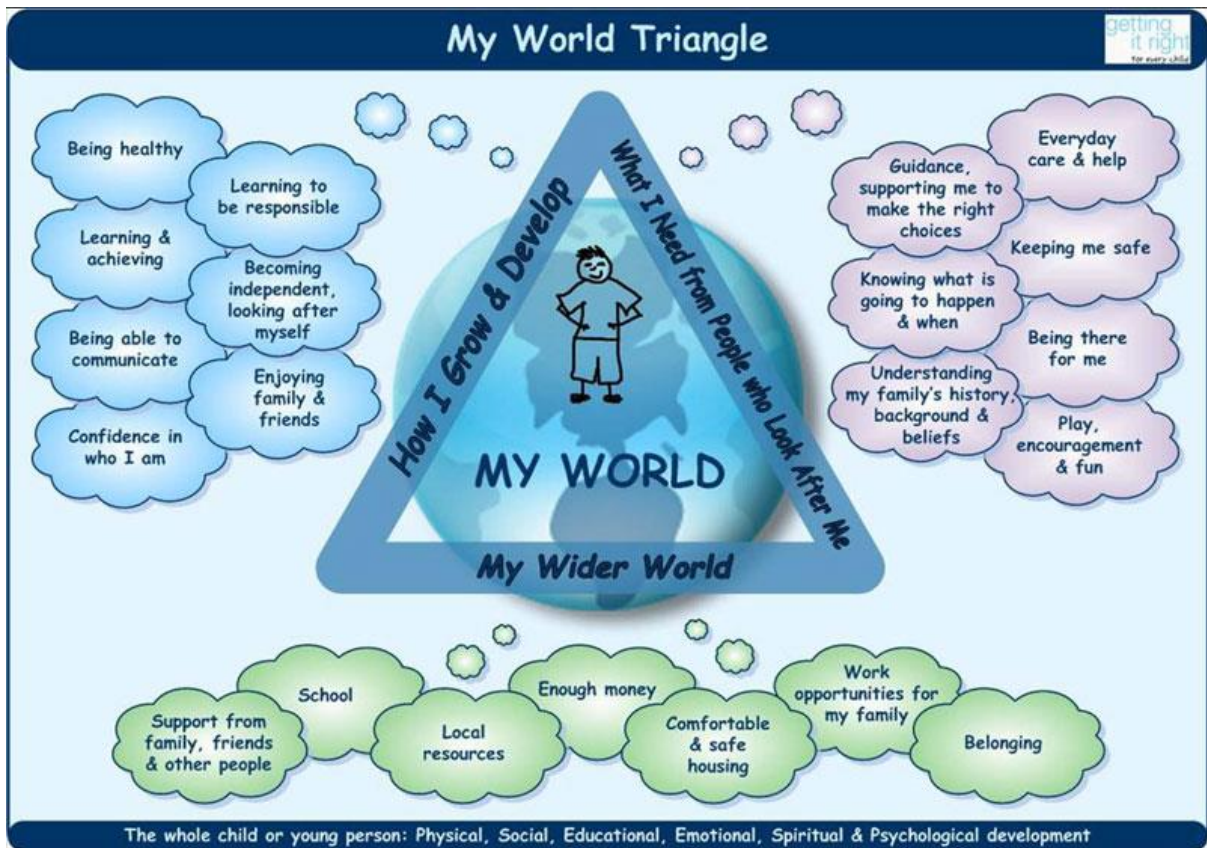
Wellbeing Assessment Form

For use by CPC/DCPC to determine actions following a wellbeing concern being raised.

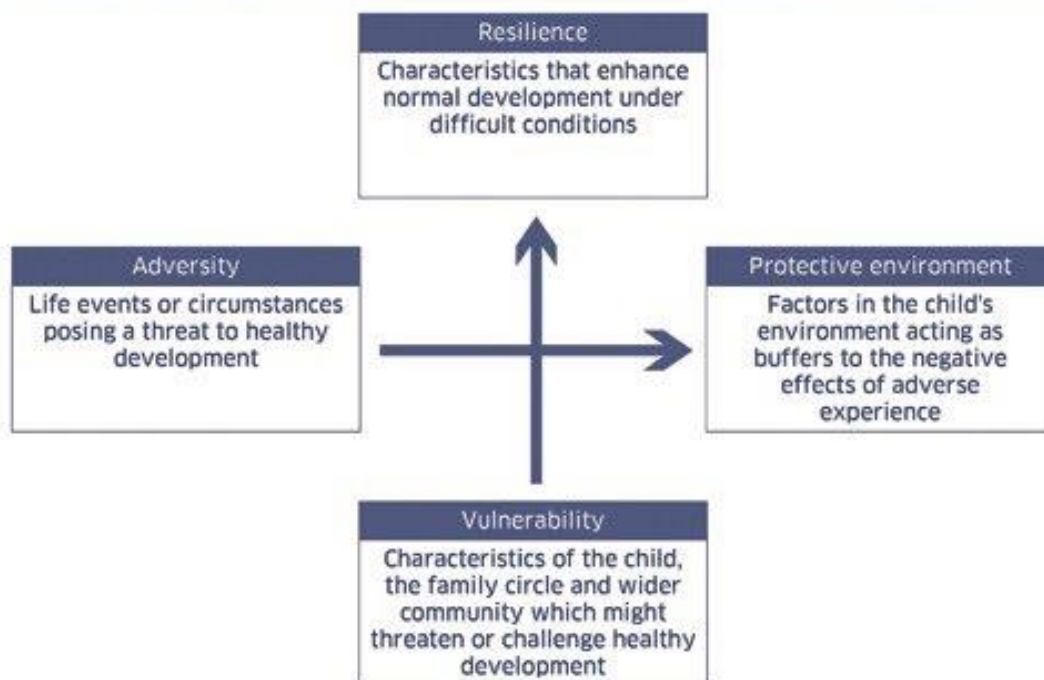
Using the National practice Model to determine actions:

- Improving outcomes using the **Wellbeing Indicators (SHANARRI)**
- Gathering information with the **My World Triangle**
- Analysing information with the **Resilience Matrix**





Resilience matrix



Adapted from Daniel, B., Wassell, S., and Gilligan, R. (1999) *Child Development for Child Care and Protection Workers*, Jessica Kingsley Publishers Ltd., London and Philadelphia and Daniel, B. and Wassell, S. (2002) *Assessing and Promoting Resilience in Vulnerable Children*, Jessica Kingsley Publishers Ltd., London and Philadelphia.

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My World		
Please indicate area(s) of concern:		
How I grow and develop	What I need from people who look after me	My wider world
Being healthy	Everyday care and help	Support from family, friends and other people
Learning and achieving	Keeping me safe	School
Being able to communicate	Being there for me	Enough money
Confidence in who I am	Play, encouragement and fun	Work opportunities for my family
Learning to be responsible	Guidance, supporting me to make the right choices	Local resources
Becoming independent, looking after myself	Knowing what is going to happen and when	Comfortable and safe housing
Enjoying family and friends	Understanding my family's history, background and beliefs	Belonging

Wellbeing Assessment	
Note strengths and concerns at both home and school – take into account wellbeing concern being raised.	
Highlight areas which require support.	
Safe	
Healthy	
Achieving	
Nurtured	
Active	
Respected	
Responsible	
Included	

Action taken by CPC/DCPC

What action was taking in relation to this concern?

- ☐ Initiate Child Protection Procedures - Child Protection File opened (option A)
- ☐ Child Protection file updated (option B)
- ☐ More information sought – reassess concern (option C)
- ☐ Concern passed to Pupil Support/Class Teacher for wellbeing support (option D)
- ☐ Did not meet threshold for CP/Wellbeing process – PS team/Class teacher informed to raise awareness

Reason(s) for decision and any other relevant information.

CPC/DCPC note:
PS staff/Class teacher note (if required). Date: DD/MM/YYYY Name:

Name: _____

Designation: _____

Signed: _____

Date: _____

Child Protection Concern Form

Child Protection Concern Form

To be completed by the Child Protection Co-ordinator

Name of Child Protection Co-ordinator: _____

Date Concern Received: _____ Time: _____

You should now open a child protection file and chronology.

1. Have there been previous child protection concerns?

Yes ☐ No ☐

If yes, give details:

2. Is the child currently on the Child Protection Register?

Yes ☐ No ☐

If yes, the concern should be referred on the day to the allocated social worker or their senior.

Name of social worker:

Date contacted:

Time:

3. Did you as Child Protection Co-ordinator speak to the child/young person e.g. to establish basic facts?

Yes ☐ No ☐

4. Was this concern shared with anyone else?

Yes ☐ No ☐

If yes, please specify:

The decision about who shares what with the parents is taken following advice from one of the statutory agencies involved in the Inter-agency Referral Discussion.

5. Does the concern involve any of the following types of abuse/risk factors?

- | | | |
|--|-----------------------------|------------------------------|
| 1. Sexual abuse | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 2. Physical abuse | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 3. Emotional abuse | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 4. Physical neglect | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 5. Young carer | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 6. Domestic abuse | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 7. Parental alcohol and/or drug misuse | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 8. Disability | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 9. Non-engaging family | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 10. Child affected by parental mental health problems | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 11. Child with mental health problems | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 12. Child displaying problematic sexual behaviours | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 13. Female genital mutilation | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 14. Honour-based violence or forced marriage | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 15. Fabricated or induced illness | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 16. Sudden, unexpected death of a child | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 17. Child exploitation | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 18. Child placing themselves at risk | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 19. Being radicalised or vulnerable to the messages of terrorism/extremism | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 20. Non-recent Abuse (previously known as 'Historical Abuse') | No <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 21. Other (please specify) | No <input type="checkbox"/> | Yes <input type="checkbox"/> |

6. If child protection procedures were initiated, record details of the discussion with social work/police or other statutory agency as per your local Inter-agency Guidelines

Details of discussion

Outcome of discussion:

7. If the referral goes to an IRD and is being investigated and assessed by the statutory agencies, the Child Protection Co-ordinator should record details of his/her further involvement in the case and further communication from the statutory agencies involved.

8. Was the child placed on the Child Protection Register

Yes ☐ No ☐

If yes, when: _____

9. When was the child removed from the Child Protection Register? Date: _____

10. Following deregistration was the child/young person made the subject of a Child's Plan?

Yes ☐ No ☐

Name: _____ Date: _____ Time: _____

Role/ Designation: _____

APPENDIX 11 List of Contacts (used by CPC and Depute CPC)

Social Work

Glasgow	Social Care Direct	0141 287 0555 Outwith office hours - 0300 343 1505 scdchildrenandfamilies@glasgow.gov.uk
North Lanarkshire	Airdrie Social Work Locality Coats House, Gartlea Road, Airdrie, ML6 9JA	01236 757000 AirdRecServices@northlan.gov.uk
	Bellshill Social Work Locality 303 Main Street, Bellshill, ML4 1AW	01698 346666 BellRecServices@northlan.gov.uk
	Coatbridge Social Work Locality Municipal Buildings, Kildonan Street, Coatbridge, ML5 3BT	01236 622100 CoatRecServices@northlan.gov.uk
	Cumbernauld Social Work Locality Bron Chambers, Bron Way, North Carbrain Road, Cumbernauld, G67 1DZ	01236 638700 CumbRecServices@northlan.gov.uk
	Motherwell Social Work Locality Scott House, 73/77 Merry Street, Motherwell, ML1 1JE	01698 332100 MothRecServices@northlan.gov.uk
	Wishaw Social Work Locality King's Buildings, King Street, Wishaw, ML2 8BS	01698 348200 WishRecServices@northlan.gov.uk
South Lanarkshire	Cambuslang/Rutherglen Floor 2, Cambuslang Gate, Cambuslang, G72 7EX	0303 123 1008 swlorutherglen@southlanarkshire.gov.uk Mon-Thurs 8.45am - 4.45pm; Fri 8.45am - 4.15pm
	Clydesdale Council Offices, South Vennel, Lanark, ML11 7JT	0303 123 1008 swloclydesdale@southlanarkshire.gov.uk Mon-Thurs 8.45am - 4.45pm; Fri 8.45am - 4.15pm
	East Kilbride Civic Centre, Andrew Street, East Kilbride, G74 1AB	0303 123 1008 swloeastkilbride@southlanarkshire.gov.uk Mon-Thurs 8.45am - 4.45pm; Fri 8.45am - 4.15pm
	Hamilton/Blantyre/Larkhall Brandon Gate, 1 Leechlee Road, Hamilton, ML3 0XB	0303 123 1008 swlohamilton@southlanarkshire.gov.uk Mon-Thurs 8.45am - 4.45pm; Fri 8.45am - 4.15pm

Police Scotland

Police Scotland - Family Protection Unit	101
Hamilton Concern Hub (Q Division)	01698 48 33 27
Prevent	PC Ian Peebles, Counter Terrorism Liaison Officer, Motherwell Police Office, Lanarkshire Division ian.Peebles@scotland.pnn.police.uk 01698 483215 / 703 3215

Scottish Children Reporters Association (SCRA) 0131 244 2100
Hamilton Branch 0131 244 8701

APPENDIX 12 (Safeguarding and Compliance Committee Terms of Reference)

Hamilton College

Child Protection and Compliance Sub-Committee

Terms of Reference

General

1. The Committee will meet as required to fulfil its remit, at least 3 times per year.
2. Three members of the Committee shall be a quorum. This number must include the Chair and at least two other members of the Committee.
3. Minutes, agendas and papers will normally be circulated to Committee members and those in attendance at least 5 working days in advance of the meeting. It may be necessary to distribute/table late papers, this would be at the discretion of the Chair.
4. Papers will indicate the originator and purpose of the paper, the matter which the Committee is being asked to consider and any action required.
5. A formal minute will be kept of proceedings and submitted for approval at the next meeting of the Committee. The draft minute will be agreed with the Committee Chair. In the case of their absence the appointed Committee member will act as Chair.
6. The Committee may also function between meetings with critical matters being progressed by electronic correspondence (or other means) and any decision taken, formally noted at the next Committee meeting.

Remit

1. To provide reports, advice and recommendations to the Board of Management on Child Protection and Compliance policies and procedures on the following matters:
 - Child Protection training for all members of staff, governors and visitors
 - Child Protection awareness raising for parents, guardians, and carers
 - Relevant mandatory training for staff on health and safety issues and pupil welfare
 - Unconscious bias
 - Bribery awareness
2. Review key aspects of any reported / disclosed incidents of any of the above issues involving staff, students or governors.
3. The nominated Safeguarder will have oversight of the numbers of CP cases, complaints or lapses in compliance and have confidential access to relevant information as deemed appropriate by the Head Teacher.
4. The Committee will have oversight of compliance in matters of equality, gender, UNCRC and other areas of legislation
5. Review and report on the nature and volume of parental, student and staff complaints or feedback : handling of any issues and outcomes as well as any complaints elevated to Board level.
6. To monitor staff and student personal welfare and support mechanisms.

OTHER

1. The Committee will undertake a review of its own performance and effectiveness particularly as part of a whole school review.
2. The Committee will obtain external professional advice as necessary to fulfil its remit.
3. The Committee will report after each meeting to the whole board providing papers and working in consultation with other sub-Committees.
4. Agenda, papers, and approved minutes will be kept in the Governors' folder.
5. Decide on key performance indicators for the assessment of performance.
6. Submit an annual report on the affairs of the Committee to the Board.

APPENDIX 13 - MINIMISING THE RISK

Staff & Volunteers

The vast majority of adults who work with children in education settings act professionally and provide a safe and supportive environment, which promotes the wellbeing and best outcomes for children in their care. Hamilton College aims to prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children and if necessary, taking proportionate decisions on whether to ask for any checks beyond what is required. Our recruitment procedures follow accepted practice with regard to application forms, checking the identity, employment history and qualifications of candidates, interview procedures and the taking up of references before employment begins.

All staff are registered with the Protecting Vulnerable Groups (PVG) Scheme⁹, to ensure we safeguard and protect the children in our care. This includes all teaching appointments, non-teaching staff, governors and volunteers and might include, for example, care staff, physical sports instructors, music tutors and parents who are involved in training children. There are two senior members of staff authorised to countersign PVG membership applications for the school.

New staff, including supply teachers, are not allowed unsupervised access to children before completion of all checks and must be GTCS registered. Appropriate certificates should be made available to allow checks to take place. The overriding responsibility is to protect the children in our care.

We make checks on:

- all new governors
- all those newly appointed to the College staff
- volunteers who will have unsupervised access to children

Identification Badges

All staff are required to wear photo ID Badges provided by the College. This rule applies to teaching, administrative, support, catering and cleaning staff. Visitors, parents, students on placement and contractors are issued with a Visitor's ID pass on arrival at reception and are expected to wear it for the duration of their visit. Employed staff have Child Protection conversational prompts on the reverse of their ID badges to guide them through any possible disclosure conversation.

Staff Induction & Training

An important method of minimising the risk of allegations against staff is the provision of **initial training** for new staff and **refresher training** for existing staff on various Child Protection matters, including a code of conduct for staff. An annual training update is included in the College's in-service programme (August INSET), and specified staff attend SCIS training on Child Protection.

Training on managing child abuse aims to inform staff on categories of child abuse, agencies which may need to be involved, a standard procedure for dealing with concerns or disclosures, confidentiality, and record-keeping.

All staff members should be aware of child protection policies and procedures within Hamilton College, which support the wellbeing and protection of children and these will be explained to them as part of our staff induction. This will include:

- A summary of the Child Protection Policy including the role of the Child Protection Coordinators
- Code of Conduct (see 2.5 and Appendix 2)

⁹ <https://www.mygov.scot/organisations/disclosure-scotland/>

- Support and supervision
- Relevant Child Protection training

Supply staff will also receive an induction and be made aware of the school's policies regarding the safeguarding of children.

Staff are required to sign that they have read and agree to abide with the following documentation -

- Hamilton College Staff Code of Conduct (Appendix 2 and 3)
- GTCS Professional Guidance on the Use of Electronic Communication and Social Media¹⁰.
- GTCS Code of Professionalism and Conduct¹¹.

Wellbeing Review Meetings

Wellbeing Review Meetings in Junior School are held three times a year. The Head of Junior School meets with individual class teachers to discuss each child in relation to the 8 wellbeing indicators. These wellbeing indicators are tracked throughout the year.

Wellbeing Review Meetings in Senior School are held termly. Guidance staff, Pupil Support Learning and Deputy Head Pastoral meet to discuss pupils across Transitus - S6. Information is recorded and stored centrally.

Where concerns are raised through this information sharing process steps are taken to support the pupil.

Code of Conduct for Staff

Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions. Staff interactions with pupils must be transparent and they should always be wary of allowing situations to develop which could lead to allegations of impropriety. Staff are required to sign that they will abide by the Hamilton College Code of Conduct. (See Appendix 2)

From time to time, all staff should reappraise their relationships with pupils and ask themselves: '***Are my actions fair, reasonable, warranted, proportionate, measured, safe and applied equitably?***' to ensure that they give no grounds for any doubts in the minds of colleagues, pupils or parents. For the vast majority of staff a Code of Conduct will serve only to confirm what has always been best practice.

Appointment of Governors

All Governors are registered under the Protection of Vulnerable Groups (PVG) Scheme and any new Governor must also undergo PVG Scheme checks. Although the Governor may never have contact with children, a School Governor is in a regulated position of trust under the PVG Act and Hamilton College wishes to adhere to good practice.

Specialists/Contractors

All tutors, coaches, counsellors and the like ("Specialists") who have direct contact with learners must be checked through the PVG system by the school. Employment or commencement of services will not start until a clear check has been returned. It is the duty of the Heads or Managers of the Departments in which such Specialists are employed, to notify the Executive PA to the Head Teacher when PVG checks are

¹⁰ GTCS Professional Guidance on the Use of Electronic Communication and Social Media

<http://www.gtcs.org.uk/web/FILES/teacher-regulation/professional-guidance-ecomms-social-media.pdf>

¹¹ GTCS Code of Professionalism and Conduct

<http://www.gtcs.org.uk/web/FILES/FormUploads/code-of-professionalism-and-conduct.pdf>

required in this respect in order that the checks can be initiated. The CP Coordinators meet with all new staff and Specialists to specify their duties in child protection matters and to highlight the terms of the School's Child Protection Policy and the Staff Code of Conduct. It is the duty of the Heads or Managers of the Departments in which such Specialists/Contractors are employed, to liaise with the CP Coordinators prior to arranging CP briefings for these individuals.

One of the Child Protection Coordinators meets with all other in-school contractors (including cleaning staff) ("Contractors") and specifies their duties in child protection matters and to highlight the terms of the School's Child Protection Policy and Staff Code of Conduct. This forms part of the Contractors Working On Site Information and Health & Safety Induction paperwork. The Facilities Manager will ascertain from their employers whether these Contractors have been checked through the PVG system. Where they have, and once they have received a Child protection briefing from one of the Child Protection Coordinators, they will be permitted to work in the school unchaperoned. **Where they have not, they will be chaperoned at all times while in the school building.** It is the duty of the Heads or Managers of the Departments in which such Contractors are employed, to notify the Facilities Manager prior to Contractors visiting the School.

School transport drivers must be PVG checked through their employer. This requirement will form part of the agreement with the transport provider. The School's CP Officers meet with all school transport drivers and specify their duties in child protection matters and to highlight the terms of the School's Child Protection Policy.

Building

There is a single-entry point to the building for the public. Security is ensured by electronic doors. Pupils are further protected by electronic doors to/from their playground. In an emergency a klaxon is sounded if pupils are outside and need to be brought indoors quickly. All classroom doors have a glass panel inserted to improve the safety of all. An Emergency Plan is included in the Staff Handbook and details further steps to safeguard children during an emergency.

E-Safety

The school has policies in place to limit children's exposure to risks from the school's IT system and appropriate filters and monitoring systems are in place and are reviewed and automatically updated. As part of being a child-centered, safe school, we have an ICT Acceptable Use Policy¹² which incorporates the use of technology and an Anti-Bullying Policy¹³ which addresses cyberbullying. It is increasingly accepted that, as with children riding a bicycle or learning to swim, using the Internet will carry some risk of harm. Risks do not inevitably result in harm, but the task is to develop children and young people's critical and technical skills to manage risks online. Children and young people need to understand the risks posed by E-technology so that they can keep themselves safe. Within our Lifeskills (PSHE) programme we seek to provide children and young people with knowledge and critical skills to use E-technology responsibly and safely, and know how to respond when something goes wrong. A monthly E-technology information sheet is published on our social media channels to help them combat this issue and support their son/daughter. The Child Exploitation Online Protection Centre (CEOP)¹⁴ produces some of the material we use within our curriculum. The following list of organisations are a source for resources and advice:

- www.thinkuknow.co.uk
- www.disrespectnobody.co.uk
- <https://www.saferinternet.org.uk/>
- www.internetmatters.org

¹² [ICT Acceptable Use Policy](#)

¹³ [Anti-Bullying Policy](#)

¹⁴ www.ceop.police.uk/

- www.childnet.com/cyberbullying-guidance
- www.pshe-association.org.uk
- www.educateagainsthate.com
- www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation

E-technologies bring a variety of risks from adults and peers, such as: exposure to obscene, violent or distressing material; bullying, coercion or intimidation through social media platforms and online cyber-bullying, identity theft and abuse of personal information; pro-eating disorder, self-harm or suicide sites; and sexual exploitation by online predators. The use of E-technology has become a significant component of child protection concerns. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

1. Content: being exposed to illegal, inappropriate or harmful material.
2. Contact: being subjected to harmful online interaction with other users.
3. Conduct: personal online behaviour that increases the likelihood of, or causes, harm.

Building digital resilience is aimed at strengthening the ability of the children and young people to correctly identify and interpret the impact and repercussions of the various online risks, and to develop both the technical and emotional competencies to deal with them. By helping children to become more digitally resilient, confident and competent users of the Internet, including being able to face and deal with online risks, they will be able to embrace more online opportunities.

Safeguarding Topics Taught Within Personal, Social and Health Education (PSHE)

A number of topics within the PSHE curriculum lend themselves towards safeguarding our children and young people. These topics will vary depending on the age and stage of pupils and content is age appropriate. Courses are audited regularly, and include feedback from pupils, parents and staff. Some of the topics are listed below -

Alcohol, Alcoholics Anonymous, Smoking, Drugs, Cyber-bullying, Keeping Safe Online, Online Reputation (Digital Footprint), Heartstart, Healthy Eating, Truth About Sugar, Dying for a Tan (Cancer), Gambling, Personal Safety, Disability, Sleep, Resilience, Stress, Mental Health, Emotional Health, Understanding Self-Injury, Relationships, Sex Education.

Photographs & Videos of Children & Young People

Staff will take all reasonable steps to safeguard pupils (see also Staff Acceptable Use Policy¹⁵) when they are being photographed and/or videoed. These provide opportunities to celebrate school activities and pupils' achievements and are invaluable for some specific educational purposes. Common sense and proportionality are required when implementing this guidance and all decisions should reflect the best interests of the pupil:

- **Only** school equipment should be used for taking photographs/filming.
- No photographs or video footage should ever be permitted in areas of personal privacy by staff or pupils e.g. changing rooms, bathrooms and sleeping quarters.
- School photographers have been appropriately checked and are accompanied by a member of school staff at all times.
- All images and videos of pupils taken for educational purposes belong to the school and are subject to our Data Retention Policy¹⁶.

¹⁵ Staff Acceptable Use Policy [Link to WS Team](#)

¹⁶ Data Retention Policy [Link to Data Retention Policy](#)

Parents and pupils are informed that pupils may, from time to time, be photographed. All pupils and parents are asked annually to give consent for photographs to be taken. Where consent is not given, names are held on a central database for staff to check to ensure no breach occurs. Photos may be taken for one of the following reasons:

- 1) Educational purposes.
- 2) Video footage for performance development.
- 3) Media coverage of an event or achievement.
- 4) Promotional purposes e.g. website or publication.

Consent

- Parents/carers are asked to complete a form that allows them to consent or to withhold consent for the photographing and videoing of all educational activities.
- Specific additional consent is also sought for 3) and 4) above as the images will be available in the public domain. Additional consent is sought for residential trips.
- Where appropriate, pupils should be asked their views. Where a child is able to provide an informed view (on the principle of other legal rights, generally a child over 12 may be deemed to have legal capacity to do so) this should be taken into account.
- Images will not be shared with external agencies unless express permission is obtained from the parent and, where appropriate, the young person. Where a child is aged between 12-16 parental consent is also sought.
- Teachers/coaches using videoing as a legitimate teaching and coaching aid should make parents or carers and pupils aware that this will be part of the programme. If a video is being given to a pupil to take home for their personal development, then consent should be sought from the parents of any of the other pupils shown on the video. Furthermore, pupils and parents need to be clear that this material should not be put into the public domain e.g. uploaded onto YouTube.

Publishing on social media or the school website

- Personal information that could identify a pupil should never be included e.g. home address, e-mail address, home and mobile phone number.
- Photographs with the full name(s) of the pupil featured should not be used unless the school has parental consent in writing and parents have been informed as to how the image will be used. Where the pupil's details are already in the public domain parental permission should still be obtained for any school usage.
- Special care should be taken in relation to vulnerable children e.g. a child where there is a Child Safety Plan in place as a result of domestic violence or a child with a disability, and consideration given to whether publication would place the child at risk.
- The school has a Social Media Policy¹⁷ which can be referred to for further information.

Storage and use of images

- The school will ensure that all negatives, copies of videos and digital photograph files are stored in a secure place in school in line with the Media Storage Policy¹⁸. The school will endeavour to make sure all copies of images, including negatives or electronic copies, are deleted when no longer needed.
- The school does not use images of pupils who have left the school without permission. If images are kept for archives, school leavers will have consented to this.
- The school uses the image only for the purpose it was taken. It will not be used for purposes that the pupil or their parent is unaware of or has not given consent to use.

Potential risks

Staff are regularly trained and informed of potential risks in order to minimise them. Risks include

- The inappropriate use, adaptation or copying of images for use on child abuse websites.

¹⁷ [Social Media Policy](#)

¹⁸ [Media Storage Policy](#)

- The identification of children when a photograph is accompanied by significant personal information that will assist a third party in identifying the child. This has, and can lead to, children being groomed.
- The identification and locating of children in inappropriate circumstances which include:
 - a. Where the child has been removed from his/her own family for their own safety.
 - b. Where the child may be a witness in criminal proceedings.
 - c. Where there is a custodial dispute and possible threat to the child of being taken out of the country.

Taking photographs or videoing in public places and when to report concerns

- It is not an offence to take appropriate photographs in a public place even if asked not to do so.
- No one has the right to decide who can, and cannot, take images on public land.
- The land or facility owner can decide whether or not photography and or videoing activities will be permitted.
- Anyone behaving in a way which could reasonably be construed as inappropriate in relation to filming or photographing should be reported to the person in charge on the day. They should be approached for an explanation.
- If a satisfactory explanation is not provided, the circumstances should be reported to the Child Protection Coordinator/Deputy Child Protection Coordinator/Headteacher
- If anyone has concerns about the immediate safety of a child relating to the recording of images then it should be reported to the police.

School Trips

Educational visits and school trips should adhere to the school's Child Protection Policy. There is a separate School Trip Policy¹⁹ which raises awareness of the potential risks to children on such trips, the need for appropriate child protection training for staff and group leaders and steps to take to minimise such risks. Where advice is required, the child protection co-ordinator will be the first point of contact.

It may not be necessary that every member of staff is **fully trained** in child protection or is considered to carry full responsibility for child protection, especially where volunteers are used on an occasional basis. It is essential that the group leader has received child protection training. **For residential trips all volunteers will have completed child protection training and been vetted by Disclosure Scotland.**

While it is preferable to have two adults within a vehicle, this is not always practical. (See Appendix 2, Staff Code of Conduct and comments regarding Transporting Children & Young People). Where a parent assists with a day trip, such as travelling with pupils to a sports fixture, they should be given advice from the member of staff in charge of the trip, who has undergone child protection training. The parent should have business use on their car insurance policy. At no time should a helper be left on their own with a child. If the parent's own child is attending the trip they should travel with their parent, together with their friends. **Written parent consent should be sought from any child travelling with a parent helper. If a parent will be used regularly, they should complete a PVG application.**

Prevent Duty Guidance: for Scotland

The above guidance²⁰ covers the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism. Hamilton College staff have undertaken *Prevent* awareness training and have robust procedures in place for sharing information about vulnerable individuals in line with Child Protection Procedures. Protecting children from the risk of radicalisation is part of schools' wider safeguarding duties. During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism goes beyond terrorism and is defined in

¹⁹ [Hamilton College School Trip Policy](#)

²⁰ www.gov.uk/government/uploads/system/uploads/attachment_data/file/445978/3799_Revised_Prevent_Duty_Guidance_Scotland_V2.pdf

the Government's Counter Extremism Strategy as vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide an answer. The internet and the use of social media in particular has become a major factor in the radicalisation of young people.

As with other safeguarding risks, staff should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection. Staff should use their judgement. There is no such thing as a 'typical extremist' and those involved in extremism come from a range of backgrounds and experiences. Useful link: <https://education.gov.scot/improvement/learning-resources/safeguarding-prevent-in-education>

APPENDIX 14

INFORMATION-SHARING AND RECORDING: CHILD PROTECTION CONCERNS (CONFIDENTIALITY)

Introduction

As highlighted at 1.1 - Principles of Child Protection, sharing appropriate information is essential to safeguarding children and young people. To secure the best outcomes for them, staff need to understand when it is appropriate to share information, how much information to share and what to do with that information. Staff also need to consider, from and with who, information can, and should, be sought and/or shared.

Information Sharing - Child Protection - General Principles

- As a general principle, children and their families have a right to know when information about them is being shared. However, where agencies are acting in fulfillment of their statutory duties, it is not necessary or appropriate to seek consent - e.g. where a referral is made to the Reporter under the Children's Hearing (Scotland) Act 2011, the consent of a child and/or parents or carers should not need to be sought prior to the submission of a report. There is an important distinction between making the child aware that information will/may be shared and seeking their consent for that sharing. It is perfectly acceptable and lawful for services to share information, where there is an indication that a child is at risk of significant harm or abuse relevant information must always be shared. Under such circumstances consent is not required.
- The best interests of the child are of central importance when making decisions to lawfully share information with, or about, them.
- Children have a right to express their views and have them taken into account.
- **At all times, information shared should be relevant, necessary and proportionate to the circumstances of the child, and limited to those who need to know.**
- When information is shared, a record should be made of when it was shared, with whom, for what purpose, in what form and whether it was disclosed with, or without, informed consent. Similarly, any decision not to share information and the rationale should also be recorded.

Confidentiality

This section covers the school's Confidentiality Policy and the appropriate management of child protection records and reports. A Confidentiality Statement for Children and Young People (appendix 4B) is printed in Senior School pupils' homework diaries. This is displayed on the walls in Junior School Classrooms. Also, ChildLine and Anti-Bullying posters are displayed throughout the building. The protocols for records and reports are updated as advice changes.

Hamilton College's Position on Confidentiality (see Appendix 4A)

*In the course of their normal duties, staff may become party to sensitive information about pupils and their families. Such information must be handled with discretion and professionalism if parents and pupils are to have a sense of trust in the school. Junior School teachers and staff with a pastoral remit, whether promoted or first-level guidance, are especially likely to receive sensitive information on, for example, family circumstances or medical conditions. Staff must work on the presumption that anything imparted in confidence will be treated in confidence, **subject to three qualifications:***

- Anything imparted 'in confidence' to one member of staff, may be shared with a restricted number of colleagues if that person feels in need of support and guidance from them.*
- If serious concerns emerge about the safety, welfare or protection of a child, the staff member approached is obliged, in terms of the school's child protection procedures, to pass that information on to the Child Protection Coordinators for consideration as to whether it should be*

shared with the appropriate authorities. In these circumstances, the person approached would not, except in an emergency, breach the confidence without letting the pupil seeking assistance know that he/she intended doing so.

(iii) *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. Problems may arise when a child consults a member of staff about a problem and does not want that information to be shared with parents. Whilst staff will try to encourage children to share the information with parents where that is appropriate, there may be circumstances in which any pressure to pass the information on could result in the child keeping the problem to him or herself or not sharing other concerns in the future. The decision to share information with parents against the child's wishes will only occur after discussion among the CP Coordinators and the member of staff to whom the information has been disclosed or the appropriate Pupil Support (Guidance) teacher.

Parents should be reassured that it is the aim of the school to always act in accordance with current legislation in the best interests of the pupil and to encourage the fullest possible involvement of and consultation with parents.

Recording Information

Decision-making depends on having sufficient, succinct, accurate and accessible records. A distinction should always be made between facts, hearsay and opinion.

The Raising a Wellbeing Concern Form should be completed as soon as possible.

Child Protection documentation must never be stored in the child's educational progress file. It should either be stored in the Child Protection Files along with other third-party reports e.g. Police reports, child protection notes, medical notes and Social Work reports or on an encrypted storage, such as 3Sys.

Child Protection files are stored securely and access to these is restricted to the Child Protection Coordinators and the Head Teacher.

Storage, Retention and Disposal of Records

Good information-sharing depends on the quality of record-keeping and on robust processes for storing information. Hamilton College has clear procedures for recording and handling personal information, including managing the interface between electronic and manual records. The school's Data Protection policy²¹ sets out clearly how we manage information including its management, storage, retrieval, retention, disposal and disclosure of information/records. All staff should understand their responsibilities with regard to recording, storing and sharing information. All records and the management of these are compatible with the Data Protection Act 2018 (GDPR).

(i) Education Records

A Pupil's Education Record is kept for a period of 5 years after the pupil leaves school.²²

(ii) Child Protection Records

The primary duty to keep Child Protection records falls to Social Work where the retention periods are outlined in the Children and Family Services Record Retention Schedule.²³ The school's Child Protection records are therefore normally only kept for a period of 5 years after the pupil leaves school. Where an

²¹ [Privacy Notice](#)

²² [Data Retention](#)

²³ <http://www.scottisharchives.org.uk/scarrs/schedules>.

individual's child protection record is retained beyond the 5 years advised the rationale is recorded for doing so and should be compatible with the Data Protection Act (GDPR).

(iii) Transfer of a Child Protection file to another School

Where a pupil changes school, the CP Coordinators needs to ensure that their Child Protection file is transferred to the new school as soon as possible. Best practice, if possible and practical, would be for the CPC to meet with their equivalent in the new school. If a face to face meeting is not possible, the file should be transferred separately from the Pupil's Education Record, sent, tracked and confirmation of receipt should be obtained.

If the file is being transferred electronically, the CPC should confirm in writing that the receiving school's IT system is secure and GDPR compliant. Receipt of the file should be obtained.

APPENDIX 15 - CHILD PROTECTION IN SPECIFIC CIRCUMSTANCES

There are specific circumstances which may impact adversely on children. Not all of these are common; nor should their presence lead to any immediate assumptions about the level of risk for an individual child. Where identified, though, they should act as a prompt for all staff to consider how they may impact on a child and to refer to the Child Protection Coordinators for advice if there are concerns.

Risk factors include: under-age sexual activity, domestic abuse, potential problematic alcohol and drug misuse, young carers, disability, non-engaging families, children and young people experiencing or affected by mental health problems, children and young people who display harmful or problematic sexual behaviour, female genital mutilation, honour-based violence and forced marriage, fabricated or induced illness, ritual abuse, abuse by organised networks or multiple abusers, child sexual exploitation, children and young people who place themselves at risk, vulnerable to being drawn into terrorism, non-recent child abuse.

The Child Protection Coordinator has a risk assessment screening framework for under-age sexual activity.

Risk assessments are undertaken across the school for a variety of reasons and include all or any of the aforementioned risk factors when appropriate.

APPENDIX 16 - SUMMARY OF KEY POINTS

Staff are asked to recognise that this policy is designed to protect the interests of pupils, to support College staff and to ensure that the required action is taken as quickly and as appropriately as possible. To safeguard all interests, the policy must be followed without exception by all staff who may become involved with a Child Protection issue.

A checklist is made available to all staff in the form of a card small enough to be carried when on school duties. Many staff carry this with their ID badge. The text is:

Child Protection Guidelines

IF

- you suspect a child may have been abused
- a child discloses abuse
- a third party expresses concerns to you

You should **RECOGNISE, RESPOND, REPORT, RECORD**

Recognise when the child's behaviour and demeanour is a cause for concern, or they have told you something that suggest that they may be at risk of harm.

Respond without showing signs of disquiet, anxiety or shock.

Report their concerns as quickly as possible via the '**Raising a Wellbeing Concern**' form and on the same working day, which alerts the Child Protection Coordinators. Remember that the matter should be dealt with at all levels with the utmost discretion.

Record in detail on the '**Raising a Wellbeing Concern**' form 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.

All parties involved in a possible Child Protection issue will recognise the overriding importance of discretion and confidentiality at all stages. However, all staff must **never give a promise "not to tell anyone" to a pupil who wants to confide.**

Staff should recognise that dealing with a case of actual or suspected child abuse can be very distressing, and that they may need additional support and help in coping with the involvement. Staff should seek further help if required from a Child Protection Coordinator.

For pupils' information, the ChildLine telephone number is 0800 1111.

The Child Protection Coordinator is Stuart Ross.

The Deputy Child Protection Coordinator is Jenny Paterson.