



THE ROYAL BLIND SCHOOL

Protection of Children and Young People Policy and Procedures

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Introduction

Protection is when an individual requires protection from abuse or neglect. Protection may be required if a risk assessment has identified a significant *likelihood* or *risk* of abuse or neglect. Abuse may include physical, sexual, emotional or financial abuse and could include bullying, victimisation or harassment from others.

Purpose and Scope

This document sets out the Policy and Procedures of the Royal Blind School in relation to the protection of children and young people. Implementation of this policy and procedure should help to ensure that any pupil of the Royal Blind School, who may be at risk of harm from abuse or neglect receives appropriate and timely help in line with current national legislation and best practice in the protection of vulnerable groups.ⁱ

The policy and procedure is presented in four parts; namely:

- **Part 1** - Policy on Protecting Children and Young People
- **Part 2** - Roles and Responsibilities for implementing the Royal Blind School's Policy and Procedures on Protecting Children and Young People
- **Part 3** – Procedures on Protecting Children and Young People, which take into account the guidance of the Scottish Government
- **Part 4** - Appendices.

The policy statement and procedures apply to all pupils of the Royal Blind School (full and part-time), irrespective of age. The term 'children and young people' is intended to be inclusive of those pupils aged over 16 years. The policy statement and procedures also apply to all 'staff', meaning employees, contractors and volunteers who undertake work on behalf of the school. Where elements of the policy and procedures relate only to paid employees of the school, this is stated as 'employees'. All staff of the Royal Blind School (including non-teaching staff) will be regularly reminded of the importance of this policy through induction and staff development opportunities.

Definitions of Children and Young People

A child can be defined differently in different legal contexts. There are a number of different pieces of legislation that apply different age limitations to a child.

- Section 93(2)(a) and (b) of the Children (Scotland) Act 1995 defines a child in relation to the powers and duties of the local authority. Young people between the age of 16 and 18 who are still subject to a supervision requirement by a Children's Hearing can be viewed as a child. Young people over the age of 16 may still require intervention to protect them.
- At the same time, the United Nations Convention on the Rights of the Child applies to anyone under the age of 18. However Article 1 caveats this by saying that is unless majority is attained earlier under the law applicable to the child.

Although the differing legal definitions of the age of a child can be confusing, the priority is to ensure that a vulnerable young person who is, or may be, at risk of significant harm is offered support and protection.

The individual young person's circumstances and age will, by default, dictate what legal measures can be applied to protect that young person should they need it. For example, the Adult Support and Protection (Scotland) Act 2007 can be applied to over-16's. To reduce the potential vulnerability of those between 16 and 18 the school will implement continuous single planning for the protection of each pupil.

When considering the care and protection needs of its pupils, the Royal Blind School recognises the tensions that can result when working to support an individual's right to self-determination and personal choice, with their right to be protected from harm. This is particularly the case in relation to pupils who are over the age of 16 years. However, the first priority of all staff should always be to ensure the safety and protection of pupils. It is important that staff understand their Duty of Care and follow the Policy and Procedures on the Protection of Children and Young People whenever there is a concern that any pupil of the school could be at risk of harm.

The legal age of consent in Scotland is 16 years.

The vulnerability of children and young people with disabilities

Evidence shows that children and young people with disabilities are particularly vulnerable to abuse, both within their family and in institutional settings. Factors which can create this vulnerability include (for example):

- The need for high levels of support (including intimate care) provided by a number of carers;
- The need to sometimes use interventions such as medication and physical restraint, which can potentially be inappropriately and sometimes abusively administered;
- Negative associations made about people with a disability which may lead to them being seen as 'objects of concern' rather than people and subjects of their own lives;
- Communication difficulties which may make it hard for a child/young person to communicate their needs, tell someone that they are being harmed and/or make a complaint;
- Resistance to believing a child/young person when they do allege abuse (i.e. the 'naïve' view that no-one would seek to harm or abuse a child or young person with a disability);

- Limited life experiences which can lead to a lack of awareness in relation to personal boundaries (e.g. physical, emotional and sexual) and of what is considered to be acceptable and unacceptable behaviour;
- 'Disturbed' behaviour being regarded as the 'norm' for an individual and therefore masking the reality that the s/he is experiencing abuse.

Support for children and young people

The Royal Blind School puts the needs of each pupil at the centre of its work. In relation to the protection of children and young people, the School recognises the rights of children and young people to have their views and opinions taken into account **and** be protected from all forms of abuse and exploitation. Both of these rights are enshrined in Scotland's *Charter for Protecting Children and Young People* (Scottish Executive 2004) – the *Charter* is shown on page 8 of this policy. However, the School recognises that balancing these rights when a protection concern arises is not always easy. In seeking to ensure that these rights are upheld the School will consult with other agencies about the most appropriate way of protecting children and enabling them to have their views and opinions heard.

School staff will also ensure that pupils have the opportunity to learn about their rights, and about appropriate personal interactions, where to go for help if at risk and safeguarding behaviours. This is consistent with the Health and Wellbeing focus of Curriculum for Excellence and can be taught in a variety of subject areas, through inter-disciplinary delivery and in both the school and residential care setting.

Information for parents/carers

A summary of the School's Policy and Procedures on the Protection of Children and Young Adults is distributed to families at the beginning of each school session and is available on the School's webpage.

Monitoring and evaluation

There are many processes (both formal and informal) which work together to ensure that all pupils at the School are kept safe from harm. These are consistent with Scottish Government guidelines and include:

- Regular meetings of care and education staff
- Allocation of a key worker/form teacher to every child at the school
- Individualised Educational Plans (IEPs)
- Care Plans; and Person Centred Plans
- Individual Risk Assessments
- Recording and reporting of all incidents and concerns in line with school procedures
- Reporting and recording of all protection concerns to the Principal irrespective of the level of concern
- On-going monitoring of low-level care and welfare concerns;

- Discussions with parents/carers (where appropriate);
- Monitoring and review of protection issues which have been reported to the social service agencies with responsibility for the protection of children and young people
- Regular review of Protection policies and procedures;
- Regular mandatory Protection training for all staff.

Policy context

This policy and procedures should be seen within the context of the Royal Blind School's care and protection policy framework, including:

- Safe recruitment procedure (including Enhanced Disclosure checks)
- Professional Codes of Conduct (SSSC and GTCS)
- Grievance, Disciplinary and Whistle-blowing Procedures
- Confidentiality policy
- A range of everyday safe practice guidelines/procedures.

The Royal Blind School Core values in relation to the protection of children and young people

The Royal Blind School believes that its children and young people have a right to **dignity, privacy, confidentiality** and **safety** and that these core values should underpin all aspects of the school's work. In relation to its care and protection work, these core values underpin the way in which the school:

- manages protection concerns
- provides intimate care
- uses safe holding
- communicates with pupils both verbally and non-verbally
- promotes anti-discriminatory practices relating to 'race', culture, religious belief, linguistic background, disability, gender and sexuality
- promotes an environment free from bullying and harassment
- manages personal and sensitive data about pupils and their parents/carers.
- ensures that appropriate measures are taken to safeguard young people's finances.

Children's Charter

The *Charter* is made up of 13 statements which are presented as statements **from** children and young people **to** adults; these are:

- “Get to know us”
- “Speak with us”
- “Listen to us”
- “Take us seriously”
- “Involve us”
- “Respect our privacy”
- “Be responsible to us”
- “Think about our lives as a whole”
- “Think carefully about how you use information about us”
- “Put us in touch with the right people”
- “Use your power to help”
- “Make things happen when they should”
- “Help us be safe.”

Part 1: Policy on Protecting Children and Young People

The Royal Blind School is fully committed to safeguarding the welfare of all pupils. It recognises its responsibility to take all reasonable steps to protect children and young people from harm including: abuse, neglect and exploitation.

The Royal Blind School will:

- ensure that all staff understand their professional and contractual obligations to provide a duty of care to its pupils and to protect pupils from harm, and to fairly and consistently implement all policies and procedures
- implement the underpinning principle of GIRFEC – “Getting It Right for Every Child”, ensuring that the needs of the child or young person must always be the paramount concern
- ensure that all pupils are aware of their rights, appropriate interpersonal relationships and safeguarding behaviours, and that they know where to go for help if they feel they are at risk
- ensure that all staff recognise the limits of their responsibilities in relation to the management of protection concerns and report such concerns according to the procedures and in-line with the referral process detailed at Appendix 2
- ensure that all staff understand their responsibility to work to the standards and procedures detailed in policies and procedures relating to the care and protection of pupils
- ensure that pupils are appropriately and sensitively supported to express their ideas, views and concerns on a wide range of issues, including protection issues
- ensure that the parents/carers of pupils are fully aware of their rights to express any concerns they may have about care and protection issues relating to their child
- ensure that all staff understand the limits to confidentiality and that these limits are communicated to pupils and parents/carers
- provide opportunities for all staff to develop their skills and knowledge particularly in relation to the care and protection of pupils
- fully support staff who follow the school’s Protection policy and procedures
- endeavour to keep up-to-date with national developments relating to protection issues

Part 2: Roles and responsibilities for implementing the Royal Blind School's Protection of Children and Young People Policy and Procedures

The Principal will:

- a) act as the Royal Blind School's Lead Professional for the Protection of Children and Young People
- b) ensure that the Protection of Children and Young People procedure is regularly reviewed and meets the requirements of national best practice
- c) identify resources to facilitate the development of effective and regular Protection training and staff development
- d) respond appropriately to individual protection concerns
- e) ensure that the Royal Blind School is appropriately represented at any conferences, working groups etc. which relate to the care and protection of children and young people, and in particular those which relate to the protection of children with disabilities and children in residential school accommodation.

NB: In the absence of the Principal, the manager – Care will undertake the above duties.

The Lead Professional for the Protection of Children and Young People (i.e. the Principal) will:

- a) treat all protection concerns as a matter of urgency
- b) speak with the reporting staff member and any other staff as considered necessary
- c) ensure that the internal reporting procedure (see Appendix 2) is understood and applied by all staff
- d) report concerns of abuse to the relevant protection agencies
- e) liaise with other relevant agencies to ensure that the protection investigation and response is well coordinated, appropriate and effective
- f) consider when and how to contact a pupil's parents/carers and, where required, seek advice on this matter from the relevant protection agencies
- g) determine the need for on-going monitoring of possible 'low-level' protection concerns with relevant staff
- h) ensure that relevant information about care and protection concerns relating to a pupil are communicated to relevant staff on a 'need-to-know' basis
- i) ensure that protection records are managed in accordance with the school's Confidentiality Policy
- j) ensure that 24 hour cover is available, so that staff (particularly care staff) are able to report urgent protection concerns to the Lead Professional

Members of the Senior Leadership Team* will:

- a) ensure that all staff understand the implications of the Protection policy procedure
- b) ensure that the Protection policy and procedure is covered (as appropriate) within employee induction and training programmes;
- c) ensure that all external workers (including volunteers) who work directly with children and young people, are aware of the school's Protection policy and procedure and understand the obligation on them to report any concerns in line with the procedure
- d) ensure that in the course of regular supervision, staff meetings etc., regular opportunities are provided to raise general and non-urgent issues relating to the care and protection of children and young people
- e) ensure that any concerns raised by staff that suggest that a child or young person is at risk of abuse are passed to the Lead Professional for the Protection of Children and Young People
- f) ensure that any allegations that a staff member has harmed a child or placed a child at risk of harm, are passed immediately to the Lead Professional for the Protection of Children and Young People
- g) ensure that appropriate cover is provided to allow employees to attend relevant Protection training
- h) ensure that any practice issues which relate to the implementation of care and protection procedures are passed to the Lead Professional for the Protection of Children and Young People
- i) ensure that Risk Assessments are reviewed, updated, communicated and implemented to minimise future risk of harm

*The Senior Leadership Team is comprised of the Principal, Manager – Care and 3 Depute \Head Teachers.

Staff (including contracted and volunteer workers where appropriate) will:

- a) fulfil their obligations in relation to the care and protection of children and young people
- b) make a positive contribution to the development of the school's Protection policy and practice
- c) report immediately any concerns that a child/young person could be at risk of harm to the Lead Professional for the Protection of Children and Young People
- d) be pro-active in identifying and discussing care and protection practice/procedural issues with their line manager
- e) participate fully in any Protection training opportunities provided by the Royal Blind School and/or other agencies/organisations
- f) review Risk management strategies to minimise the future risk of harm

Reports to senior staff (including the Lead Professional for the Protection of Children and Young People)

On making a report of an allegation/concern of risk of harm, the reporting staff member should receive an assurance that their concern will be taken seriously and managed according to the school's Protection policy and procedure.

If the reporting person is not satisfied with the response to their concern, s/he should discuss this directly with the Lead Professional.

Where the concern relates to the way in which the Lead Professional has received/managed a report about a Protection matter, the staff member should discuss their concern with another member of the Senior Leadership Team.

Following this, and in the unlikely event that concerns by the reporting staff member continue, s/he should make a report directly to the relevant Protection agencies. As long as this is done in 'good faith', s/he will be supported fully by the school.

Part 3: The Royal Blind School's Protection Procedure

1. Responding to an allegation of abuse made by a child or young person

Incidents that potentially put a child or young person at risk of harm may relate to another child, a young person or an adult, and may relate to concerns within or outwith the school.

When dealing with an allegation of abuse, staff should take the following steps:

Listen attentively to what the young person is saying.

Not promise confidentiality. At any time during a discussion with a young person, 'staff' should not agree to keep secret any information which indicates that the young person could be at risk of harm. It should be explained that while every effort will be made to respect a desire for confidentiality, if there is cause for concern, it will be necessary to pass on the relevant information to the Lead Professional for the Protection of Children and Young People.

If the young person decides to withdraw at this stage, the adult should stress that they can have further discussions in the future and that there will always be someone to listen to them. They should also be given alternative sources of support such as the telephone number of **ChildLine – 0800 11 11**

However, the conversation with the child or young person must still be reported to the Lead Professional for the Protection of Children and Young People.

Affirm the young person's feelings as expressed by them (show empathy).

Ask open, non-leading questions which help to clarify what the young person is saying but do not lead into an investigative situation. Do not use direct or closed questions which put suggestions to the young person when dealing with an allegation of abuse. This is most important because inappropriate or intrusive questioning is not in the young person's best interest and could contaminate a subsequent Protection investigation. In addition, it is important that the young person is not subjected to a series of interviews by different adults.

Re-assure the young person that s/he has been courageous in 'telling'.

Do not make value judgements about an alleged abuser and what has reportedly taken place. Doing this will not help a young person.

Explain the next step. However, any information given to a young person about the child protection or adult support and protection process should always be communicated carefully, with sensitivity and be appropriate to the young person's age, stage of development and level of understanding. Such communication should not breach the confidentiality of any other parties involved.

Treat the allegation very seriously and report it immediately to the Lead Professional for the Protection of Children and Young People (see Appendix 2).

Complete a Protection recording form (see Appendix 3). Always try to record what the young person said (if a verbal allegation) and the words that s/he used. If the allegation came to light through other contexts (e.g. drama, play etc.), include any original material (if available) with the completed pro-forma. A copy of the record may be required (at a later date) as part of the Protection process or as evidence for future criminal prosecution.

Do not speak with the young person's parent/carer until such action has been discussed and agreed with the Lead Professional for the Protection of Children and Young People. The decision about when and how to speak with a young person's parents/carers rests with the Lead Professional who may need to take advice from the Protection agencies or Police before making contact with parents/carers.

Ask for support. It is recognised that dealing with Protection concerns can have stressful consequences for staff. The Royal Blind School will ensure that staff who have reported/are involved in child protection concerns will be appropriately supported.

NB: The Lead Professional for the Protection of Children and Young People is responsible for making referrals/seeking advice from Social Work, the Police and/or the Local Authority and for ensuring that referrals for medical examination/treatment are requested from the appropriate agencies.

2. Responding to general concerns of abuse (including monitoring of concerns)

Apart from a direct allegation of abuse, abuse may also come to light through staff noting possible 'signs and indicators' of abuse (see Appendix 1). The Royal Blind School will ensure that all staff who work with children and young people are provided with regular opportunities to consider the various signs and indicators of abuse and how these may present, both with the school and residential environments.

The presence of some 'signs and indicators' can require an immediate and urgent response on the part of the school. However, in some situations the school may

decide to monitor concerns for a short time period. Where this is the case, the monitoring framework will be put in place (see Appendix 4).

Where the Lead Professional for the Protection of Children and Young People determines that concerns should be monitored, s/he will ensure that:

- relevant staff are informed of the need to monitor
- staff understand why the decision to monitor has been made
- a review date is agreed with relevant staff
- staff involved in monitoring concerns are provided with appropriate support and advice
- decisions about the involvement of the parents/carers in the monitoring process are carefully made so as not to compromise any future Protection process.

3. Dealing with third party reports of abuse

Staff who receive a report of abuse from a 'third party' should explain that the concerns will be managed according to the Royal Blind School's Protection of Children and Young People Procedures.

If a third party decides to withdraw their concern at this point, they should be informed that where the information shared indicates that a child or young person could be at risk of harm, the information will be passed on without their agreement.

4. Dealing with an allegation of historical abuse

When dealing with current personal concerns relating to their child, some parents/carers may themselves disclose that they were victims of past abuse. Reports of historical abuse must never be ignored. They must always be brought to the attention of the Lead Professional for the Protection of Children and Young People, and communicated via the referral process detailed at Appendix 2.

If the possibility exists that the alleged abuser may still pose a risk to children and/or other vulnerable groups, the Lead Professional for the Protection of children and Young People will make a report to the relevant Protection agencies.

5. Steps to be taken when an allegation/concern of possible abuse is reported which may implicate a staff member

Allegations of abuse which may implicate a staff member undertaking work on behalf of the Royal Blind School must be reported immediately to the Lead Professional for the Protection of Children and Young People.

Allegations made against employees of the Royal Blind School

Any suspicion or complaint that an employee is implicated in the abuse of a pupil or young person (including a child/young person outwith the school context), must be managed in accordance with the following guidance:

- a) An allegation of abuse that implicates any member of staff other than a member of the Senior Leadership Team:

The concern must be reported to the Lead Professional for the Protection of Children and Young People via their line manager.

- b) An allegation of abuse that implicates a member of the Senior Leadership Team other than the Principal:

The member of staff who has the concern must report it directly to the Lead Professional for the Protection of Children and Young People. Staff must not discuss their concern with the senior member of staff who is implicated in the allegation.

- c) An allegation of abuse that implicates the Principal:

The member of staff must report their concern to a member of the Senior Leadership Team who must then report immediately to the Convener of the Education Executive Committee and the Chief Executive of Royal Blind.

The Royal Blind School recognises that it has a Duty of Care to its employees. Employees alleged to have abused pupils will be treated with appropriate consideration pending the outcome of any enquiries.

Volunteers

Although volunteers do not have formal employment rights, where an allegation of abuse is made about a volunteer worker, the above procedure will also be instigated.

Contracted workers from external organisations

Where an allegation is made about a contracted worker who is employed by an external organisation, but undertaking work on behalf of the Royal Blind School, the onus is on the external organisation to manage the allegation against their employee. However, the Royal Blind School recognises that it has a primary Duty of Care to its pupils. This means that the school will, where appropriate, report such an allegation to the relevant Protection agencies.

Independent freelance workers undertaking work for the Royal Blind School

Where an allegation is made against an independent freelance worker, the school will, where appropriate, report the allegation to the relevant Protection agencies.

NB: The Royal Blind School has the right to suspend any contracts with individuals and organisations whilst a Protection investigation is being carried out.

6. Contacting the Protection agencies

Whenever staff of the Royal Blind School suspect that a pupil could be at risk of harm, the Lead Professional will seek advice from the relevant Protection agencies within the pupil's Local Authority.

In most instances, the Lead Professional for the Protection of Children and Young People will seek advice/make a referral to Social Work services. However, s/he may also contact the Police where there are urgent circumstances such as:

- the immediate avoidance of further abuse
- the immediate pursuit of an alleged abuser
- the avoidance of the destruction of evidence
- the need for Emergency Protection Measures
- where a child may have been harmed by a person unknown to the child and their family

However, depending on the needs of the young person, the Lead Professional may also make a report to relevant Local Authority office.

The Lead Professional will contact the Social Work/Police/Local Authority office which covers the pupil's home address area. Contact details of all of the above agencies will be maintained by the Lead Professional for the Protection of Children and Young people and made available to other staff as appropriate.

7. Supporting a child or young person following a concern/allegation of abuse

Following the reporting of a concern/allegation of abuse it may be appropriate for the child or young person to receive support either from a member of the School staff or from an appropriately skilled individual from an external organisation. The Lead Professional for the Protection of Children and Young People will, where appropriate, seek advice from Social Work on the most appropriate way of providing such support.

The School fully supports a young person's right to express their views and opinions when they are the subject of a Protection investigation. However, it also recognises that such support **MUST** be provided by an individual who has a good understanding of the Protection processes and can work in a manner which will not compromise this process.

Support may involve:

- providing the child/young person with the opportunity to express and explore feelings
- helping the child/young person to develop a sense of self-worth and belonging
- helping the child to explore the meaning of boundaries and rights to personal safety in relation to others
- providing opportunities to promote potential across all areas of development

8. Rationale for the Royal Blind School's 'internal' Protection referral process – Appendix 2

The Royal Blind School's internal Protection referral processes involve a number of staff at all levels. This is consistent with the fact that care and welfare issues are generally managed by education and care staff at all levels working closely together and sharing information in order to meet the needs of each pupil.

The school's internal referral process is therefore built on the assumption that staff at all levels will have the confidence to share **all** Protection concerns with their immediate line manager. However, it is crucial that staff understand that irrespective of the staff level at which a concern is raised and/or the perceived severity of the concern, it will always be taken to the Lead Professional for the Protection of Children and Young People. It is the responsibility of the Lead Professional to discuss the nature of the concern with relevant staff and to decide on the most appropriate way forward.

All staff should be aware that: Protection concerns usually involve the sharing of highly confidential and often sensitive and ambiguous information about an individual which must be managed carefully with due regard for privacy and confidentiality.

9. Recording Protection concerns using the recording form – Appendix 3

Whenever a Protection concern arises, relevant sections of the Protection forms must be completed. In some instances, it will only be necessary to complete sections A and B. The form shown at Appendix 3 is designed to provide a complete unbroken record of the action taken by the Royal Blind School in relation to each Protection concern.

Section A of the form should be completed by the member of staff who initiated the concern. On receiving a concern from a member of staff, the Depute Care/DHT (Craigmillar/Canaan Campus) will make sure that the key issues surrounding the concern have been recorded appropriately.

Sections B, C and D of the recording form should be completed by the Lead Professional (or other member of staff, as determined by the Lead Professional). In order to complete section B, the Lead Professional will have discussed the concern with a number of relevant staff (as detailed in the referral process – Appendix 2).

Sections C and D of the recording form will be completed when the decision is taken to make a referral to the external child protection or adult support and protection agencies. Where a referral is made, a copy of the form may be sent to the receiving child protection or adult support and protection agency.

10. Issues of confidentiality in Protection work

Personal information about young people and families held by the Royal Blind School is subject to a legal duty of confidentiality, and will not normally be disclosed without the consent of the persons concerned.

Young people are entitled to the same duty of confidentiality as adults, provided they have the ability to understand the choices and their consequences relating to the proposed lines of action.

Where consent has not been obtained, however, the law permits disclosure of confidential information necessary to safeguard a child or young person where s/he is considered to be at risk. Each such disclosure should be justifiable according to the particular circumstances.

Within the context of work undertaken by the Royal Blind School confidentiality is not an option where a pupil is considered to be at risk of harm. Staff have a professional and moral duty to put the young person's welfare first. Information about abuse may be offered in confidence by the individual who reports the concern but the recipient must communicate the information as indicated in these guidelines.

11. Fear of defamation by staff

Staff may sometimes be reluctant to report suspicions of abuse for fear that the person suspected will sue them for defamation, if the allegation turns out to be unfounded. To be defamatory, a statement must first of all be untrue. Even if subsequently shown to be untrue, the statement will be protected by 'qualified privilege' if it is made to the appropriate authority in response to a duty, whether legal, moral or social or in the protection of an interest. Unjustified repetition of the allegations to other persons will not be protected by privilege. The qualification on privilege refers to statements motivated by malice. If a statement, even to the appropriate authority, can be shown to be not only untrue, but motivated by malice, then an act of defamation could be successful¹.

12. Storage of and access to Protection records

Completed Protection forms (and other relevant documentation) will be stored in locked filing cabinets within the Principal's offices. Access to this information will be restricted on a 'need to know' basis.

¹ Source: *Guidelines on Child Protection* prepared for the independent schools in Scotland by Kathleen Marshall.

Appendix 1: Definitions of Abuse

The following definitions are taken from *Protecting Children – A Shared Responsibility: Guidance on Inter-Agency Co-operation*, (Edinburgh, HMSO, 1998).

General definition of abuse

“Children may be in need of protection where their basic needs are not being met, in a manner appropriate to their stage of development, and they will be at risk from avoidable acts or omission on the part of their parent(s), sibling(s) or other relative(s) or a carer (i.e. the person(s) while not a parent who has actual custody of a child)”.

To define an act or omission as abusive and/or presenting future risk for the purpose of registration a number of elements must be taken into account. These include demonstrable or predictable harm to the young person as a result of action or inaction by the parent or other carer.

Definition of an Adult at Risk

- Unable to safeguard their own well being, property, rights or other interests.
- Are at risk of harm; and
- Due to being affected by disability, mental disorder, illness, physical or mental infirmity, are more vulnerable to being harmed by adults who are not so affected.

Harm/Significant harm

This was previously referred to as Abuse, the term used now under the new law is Harm. This is defined as:

- Conduct which causes physical harm
- Conduct which causes psychological harm (for example by causing fear, alarm or distress)
- Unlawful conduct which appropriates or adversely affects property, rights or interests (for example theft, fraud, embezzlement or extortion)
- Conduct which causes self harm.

Physical injury is defined as:

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

Physical injury may include a serious incident or a series of minor incidents involving bruising, fractures, scratches, burns or scalds; deliberate poisoning; attempted drowning or smothering; False Illness Syndrome by Proxy; serious risk of, or actual,

injuries resulting from parental lifestyle prior to birth, for instance substance abuse; physical chastisement deemed to be unreasonable.

Possible signs and indicators of physical abuse

- Injuries, particularly if they are recurrent
- Improbable excuses given to explain injuries
- Refusal to explain and discuss injuries
- Admission of punishment which appears excessive
- Fear of medical help particularly on the part of the parent who may seem reluctant/make excuses for not taking a young person to the GP
- Arms and legs kept covered in hot weather
- Withdrawal from physical contact
- Black eyes
- Bruising on the soft parts of the body – thighs, upper arms, buttocks
- Bruising around the neck area
- Physical aggression towards others
- Physical aggression towards self – hitting and telling self off for doing something wrong
- Chronic running away

Checklist for possible signs of physical abuse

It can be difficult to determine whether injuries to a young person are accidental or indicative of abuse.

Consideration of the following questions may prove helpful to staff, in particular the Lead Professional when s/he is considering a report of a concern of physical injury/abuse:

- Is the injury minor, superficial, treated and easily explained?
- Are the injuries typical of the developmental level of the child and its activities?
- Can the injury be explained by another cause? E.g. known medical condition, skin condition, temporary illness.
- Is the explanation given by the young person and/or other individual consistent with the injury?
- Is the injury on an area of the body which could indicate a cause for concern? i.e. those areas of the body which are not usually damaged by everyday accidents. For example, is the injury on the non-bony parts of the body such as eyes, side of face, ears, mouth, neck, upper/inner arms, chest, surface of the back, genitals, buttocks, thighs, soles of feet?
- Does the injury indicate cause for concern in terms of the following:

Shape	Clear outline indicating young person could not pull away from source of injury.
Pattern	Finger/thumb marks, cigarette burns, belt buckle, bite marks, bald patches.
Frequent and numerous	Old and new injuries at different healing stages.
Unusual	Position on body Not appropriate to young person's age More serious than would expect from an everyday accident.

Physical neglect is defined as:

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

Physical neglect may also include failure to secure appropriate medical treatment for a child, or when an adult carer persistently pursues or allows the child to follow a lifestyle inappropriate to the child’s developmental needs or which jeopardises the child’s health.

Possible signs and indicators of neglect

- Constant hunger
- Compulsive stealing or scavenging
- Emaciation
- Constant tiredness
- Poor personal hygiene
- Poor state of clothing and/or child inappropriately clothed for the weather
- Untreated medical problems
- Frequent lateness or non-attendance at school

Sexual abuse is defined as:

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

Sexual abuse may include activities such as incest, rape, sodomy or intercourse with children, lewd or libidinous practices or behaviour towards children, indecent assault of children, taking indecent photographs of children, or encouraging children to become prostitutes or to witness intercourse or pornographic materials.

Sexual exploitation may be indicated by the presence of one or more of the following characteristics:

- Lack of consent;
- Inequalities in terms of chronological age, developmental stage of stature;
- Actual or threatened coercion

Sexual activity involving informed consent of children under sixteen or involving informed consent of a child under sixteen with an adult who is not a relative is not in itself "child abuse". However, this may still be a criminal offence. However there could be other factors which could be indicative of abuse or which could indicate that the welfare of the children involved requires input from agencies.

Possible signs and indicators of sexual abuse

Young children may:

- Become insecure or cling to parent in a fearful way
- Show extreme fear of a particular person
- Cry hysterically when their nappy is changed
- Become hysterical when clothing is removed particularly underclothes
- Have some physical signs in the genital or anal areas; smell of semen etc.
- Have soreness or bleeding in the throat, anal or genital area
- Regress to a much younger behavioural pattern
- Stare blankly, seem unhappy, confused, sad
- Become withdrawn, stop eating, have chronic nightmares, begin wetting again when previously dry
- Stop enjoying activities with other children, such as stories or games
- Seem to be bothered or worried
- Act in a sexually inappropriate way towards adults
- Behave in a sexually inappropriate way to their age, being obsessed with sexual matters as opposed to normal exploration
- Play out sexual acts in too knowledgeable a way with dolls or other children
- Produce drawings of sex organs such as erect penises
- Repeat obscene words or phrases
- Say repeatedly that they are bad, dirty or wicked

Older Children may:

- Hint about secrets they cannot tell
- Say that a friend has a problem
- Ask if you will keep a secret if they tell you something
- Seem to be keeping secret something which is worrying them
- Begin lying, stealing, blatantly cheating in the hope of being caught
- Have unexplained sources of money
- Exhibit sudden inexplicable changes in behaviour, such as becoming aggressive or withdrawn or regressing to younger behaviour patterns
- Stop enjoying previously liked activities such as music, sports, art, scouts, guides
- Be reluctant to undress for gym
- Have terrifying dreams
- Act in a sexual way, inappropriate to their age
- Draw sexually explicit pictures depicting some act of abuse
- Start wetting themselves
- Have urinary infection, bleeding or soreness in the genital or anal areas
- Have soreness of bleeding in the throat

Young people may:

- Be fearful about certain people like relatives of friends
- Assume the role of parents in the house to such an extent that they are taking care of everyone's needs except their own
- Not be allowed to go out on dates or have friends round
- Find excuses not to go home or to a particular place
- Run away frequently
- Have unexplained sums of money
- Have recurring nightmares/be afraid of the dark
- Exhibit a sudden change in school/work habits, begin to truant
- Be fearful or undressing for games/gym
- Become withdrawn, isolated or excessively worried
- Have outbursts of anger or irritability
- Be chronically depressed
- Be suicidal
- Use drugs or drink to excess
- Self harm
- Develop eating disorders
- Exhibit inappropriate sexual/seductive behaviour
- Have recurrent genital/urinary/anal infections/bleeding
- Have chronic ailments such as stomach pains and headaches
- Become pregnant
- Have a friend who has a problem and then tell about the abuse of the friend
- Sexually abuse a child, sibling or friend

Emotional abuse is defined as:

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

Emotional abuse may include situations where as a result of persistent behaviour by the parent(s) or caregiver(s), children are:

- rejected, denigrated or scapegoated;
- denied opportunities for exploration, play or socialisation appropriate to their stages of development;
- encouraged to engage in anti-social behaviour;
- put in a state of terror or extreme anxiety by the use of threats or practices designed to intimidate them;
- isolated from normal social experiences preventing the young person from forming friendships.
-

Possible signs and indicators of emotional abuse

- Fear of parents being contacted
- Admission of punishment which appears excessive
- Physical, intellectual and emotional development lags
- Significant decline in concentration
- Sudden speech disorders
- Over-reaction to mistakes
- Continual self-deprecation
- Fear of new situations
- Inappropriate emotional responses to painful situations
- Neurotic behaviour
- Self harm
- Extremes of passivity or aggression
- Drug/solvent abuse
- Chronic running away
- Compulsive stealing/scavenging
- Indiscriminate friendliness
- Socio-emotional immaturity

Non-organic Failure to Thrive is defined as:

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

Royal Blind School

Protection of Children and Young People – Policy and Procedure

January 2011

In its chronic form, non-organic failure to thrive can result in greater susceptibility to more serious childhood illnesses, reduction in potential stature and with young children particularly, the results may be life threatening over a very short period.

Possible signs of non-organic failure to thrive

This condition is normally identified whilst the child is an infant. Signs which could indicate non-organic failure to thrive:

- Significant lack of growth
- Unexplained physical changes such as weight and/or hair loss
- Poor skin or muscle tone
- Circulatory disorders

Financial abuse

Financial or material abuse can take the form of fraud, theft or using of the vulnerable adults property without their permission. This could involve large sums of money, or just small amounts from allowances or benefits each week.

- Sudden withdrawal of money from an account
- Person lacks belongings they can clearly afford
- Lack of receptivity by the persons relatives/carers to necessary expenditure
- Power of attorney obtained when the person is unable to understand what they are signing
- Extraordinary interest by family members in the vulnerable adults assets
- Carers main interest is financial with little interest in the health and welfare of the vulnerable adult
- The person managing the finances is evasive and uncooperative
- Reluctant to accept additional service input from other agencies
- Purchase of items that the individual does not require or use
- Personal items going missing
- Unreasonable or inappropriate gifts

Domestic Abuse

The Scottish Executive's *Preventing Domestic Abuse – A National Strategy* (2003) defines this type of abuse as:

“Domestic abuse (as gender-based abuse) can be perpetrated by partner or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and

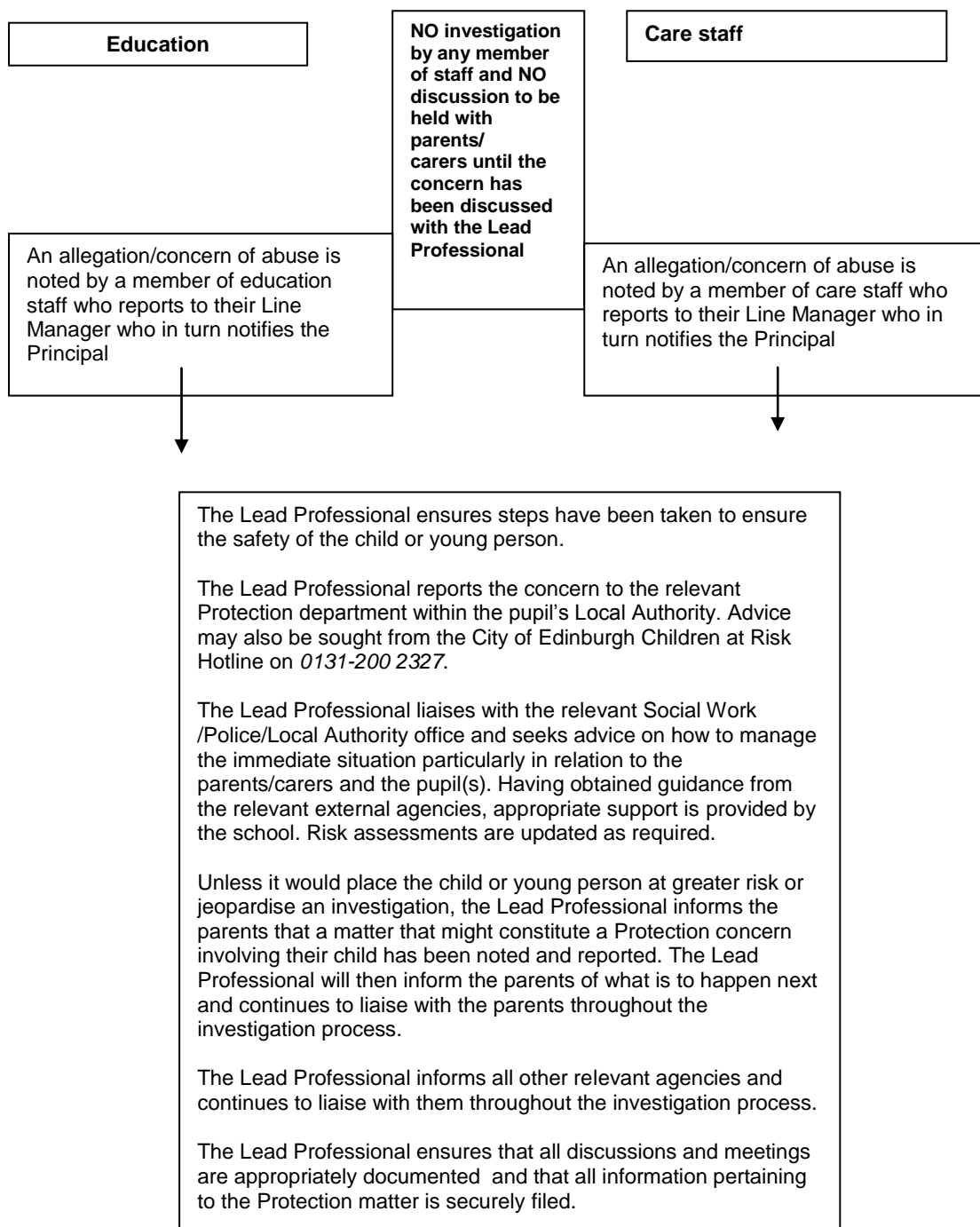
are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family or friends.”

Parental Substance Misuse

Possible affects on young people can include:

- Harmful physical effects on unborn and new-born babies;
- Impaired patterns of parental care with a higher risk of emotional and physical neglect and abuse;
- Chaotic lifestyles, which disrupt children’s routines and relationships, leading to early behavioural and emotional problems;
- Family income may be diverted to buy alcohol or drugs, leading to poverty, debt and material deprivation;
- Unstable accommodation or homelessness as a consequence of anti-social behaviour orders, rent arrears or conviction for alcohol or drugs related offences;
- Young people having inappropriately high levels of responsibility for social or personal care of parents with problem substance use, or care of younger siblings;
- Isolation of young people and inability to confide in others for fear of the consequences
- Threat of domestic violence;
- Disrupted schooling;
- Young people’s early exposure to, and socialisation into, illegal substance misuse and other criminal activity;
- Parents’ reduced awareness or loss of consciousness may place young person at physical risk in the absence of another adult who is able to supervise and care for them;
- Careless storage of medication and disposal of needles and syringes may cause accident or overdose.

Appendix 2: Protection referral process for the Royal Blind School



**Appendix 3
Royal Blind School
Protection Recording Form**

SECTION A – to be completed by the member of staff who is concerned that a pupil could be at risk of harm.

NB: It is very important that the nature of the concern, particularly where it involves a direct allegation of abuse made by a pupil, is recorded by the person who first receives the concern.

Young Person's name

D.O.B

Special circumstances relating to the young person's (e.g. special needs, medical condition)
--

Summary of the grounds for concern

Please state if the concern is as a result of a direct allegation of abuse, as a result of observing possible signs and indicators etc.

NB: This section should be completed by the member of staff who noted the concern/received the allegation of abuse from a pupil.

Signature, name and role of the member of staff who first noted the concern/received the allegation from a pupil. Pass on to Line Manager.

Date

Name and role of the Line Manager who received the notification of concern from staff . Pass on to Lead Professional (Principal or in the absence of the Principal, the Manager – Care).

Date

SECTION B – to be completed by the Lead Professional for Protection of Children and Young People

Summary of discussion between Lead Professional for the Protection of Children and Young People, other relevant members of the Senior Leadership Team and other school staff.

Record in this section the agreed next steps which may include (for example):

- discussion around more general care and welfare issues;
- an immediate referral to the Protection agencies;
- a discussion with the Protection agencies with a view to obtaining advice at this stage;
- further monitoring of any possible signs and indicators of abuse (which will be appropriately managed by relevant staff and set down within a clear timescale for review);
- no further action
- any other action which is considered to be appropriate and in line with Protection best practice.

Signed by the Lead Professional for the Protection of Children and Young people

Name
Role
Date

SECTION C – to be completed by the Lead Professional for the Protection of Children and Young People

<p>Child protection agencies/personnel contacted by the Lead Professional (state whether Social Work/Police/Local Authority and the address/phone number).</p>
<p>Summary of discussion with, and advice given by, Protection agencies.</p> <p>NB: In particular, note any advice that was given in relation to contact with the parents/carers.</p>
<p>Name and designation of Protection personnel who received the concern and provided the advice.</p>
<p>Date and time of contact with the external Protection agencies.</p>
<p>Signed by the Lead Professional for the Protection of Children and Young People</p> <p>Name Role Date</p>

SECTION D – general information about the pupil

Address (including postcode)		
Names of siblings (where known)	Date of birth of siblings	School of siblings
Names of parents/carers		
Address of parents/carers (including postcode)		
Telephone number of parents/carers		
Name of any other individuals who have parental responsibility for the pupil		
Address (including postcode) of other individuals who have parental responsibility for the pupil		
Telephone number of above individuals		

Note – The Royal Blind School will send a copy of the completed form to the relevant Protection agency(ies) who received/advised on the concern.

Appendix 4: Checklist for Monitoring Low Level Concerns

Section A: A record of the concern

As appropriate to the circumstances this section should include details of:

- the nature of the concern
- where it took place
- when it took place
- with whom it took place
- its duration
- its intensity
- the sequence of events

Where appropriate record whether any of the following issues are relevant to the concern(s):

- Attendance
- Behaviour
- Language
- Social interactions
- Drawings/writing/statements
- Physical indicators
- Relationships with parents/carers
- Relationships with workers

Section B: The monitoring Process

As appropriate to the circumstances this section may include details of:

- Any planning and review meetings
- The time scale agreed for monitoring the concern(s)
- The individuals involved in the monitoring process (e.g. staff, parents/carers, external agencies)
- Any action plan which has been developed
- Decision to continue/discontinue monitoring and justification for this
- Decision on whether to instigate Protection procedures or to re-contact Protection agencies for further consultation/referral

¹Protection of Children in Scotland Act 2003
 Adult Support and Protection (Scotland) Act 2007
 National Guidance for Child Protection in Scotland 2010
 Looked After Children (Scotland) Regulations 2009
 Child Protection Reform Programme
 Protection of Vulnerable Groups (PVG) (Scotland Act 2007