Hardwick Primary School

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Child Welfare and Child Protection Record Keeping Policy

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Child Welfare and Child Protection Record Keeping Policy

Guidelines for the record keeping and management of child welfare and child protection information on individual pupils

These guidelines cover:
General principles of keeping child welfare and child protection records
What records should be kept
How records should be made and kept
How long should schools retain child protection records
Access to child protection records / information sharing
Transfer of child protection records

The guidelines reflect and should be read in conjunction with the following documents:
Derby Safeguarding Children Board (DSCB) procedures
Safer Recruitment and Safeguarding Children in Education (DCFS, Jan 07)
Working Together (HM Government, March 2013)
Information Sharing: Guidance for practitioners and managers (HM Government 2008)
Records Management Society Schools Retention Schedule

For additional guidance on other types of record keeping in relation to child protection and safeguarding, see also:

- Guidance on DBS and other checks on staff, governors and volunteers – from HR
- Guidance on keeping a record of allegations against staff – from your HR provider
- Guidance for schools on child protection training

General Principles

Good, up to date record keeping of concerns and action taken is essential for two main reasons:

It helps schools identify causes for concern at an early stage. Often it is only when a number of seemingly minor issues are seen as a whole that a pattern can be seen indicating a safeguarding or child protection concern. Often it is only with hindsight that the significance of an incident becomes apparent.

It helps schools monitor and manage their safeguarding practices. Furthermore, in any inspection it will be important to provide evidence of robust and effective safeguarding policy and practice.

The importance of good, clear child welfare and child protection record keeping has been repeatedly highlighted in many Serious Case Reviews.

A record of a concern, suspicion or allegation should be made at the time or as soon as possible after the event. (N.B. It is not advisable to make a written record whilst a child is disclosing abuse, as this may deter the child from speaking).

Records should be factual, using the child's own words where a disclosure is made. Professional opinion can be given, but should be supported by setting out the facts and observations upon which the opinions are based. (N.B. expressing an opinion as to whether the child is telling the truth is not helpful and can prejudice how a case proceeds).

All records should be dated and signed, with the name of the signatory clearly printed, and filed in chronological order.

It is best practice for schools to have a pro forma for recording information/concerns. This can ensure that essential information is not overlooked. An example is included in this document.

Any handwritten notes made immediately after the event, for example a disclosure, can act as evidence of them having been written at the time in any future court case. Therefore, these should not be destroyed if the details are recorded more formally at a later time, but instead kept securely attached to the child protection concern forms used by the school.

All recorded child protection concerns must be passed to the school's Designated Person for Child Protection (DPCP) as soon as possible. The DPCP will need to make a professional judgment about what action needs to be taken, in accordance with local child protection procedures.

The common law of confidentiality, Data Protection and Human Rights principles must be adhered to when obtaining, processing or sharing personal or sensitive information or records. (Refer to Information Sharing Protocols and Guidance). In summary, the Data Protection Act requires that records should be accurate, relevant, kept up to date and securely and kept for no longer than is necessary for the purpose for which they were made.

It is important to make it clear to pupils that any disclosure they make will be treated with sensitivity but may need to be shared with other professionals if it is considered necessary to protect the child or someone else from harm.

How should schools store child welfare and child protection records?
All records of child protection or child welfare concerns, disclosures or allegations are to be treated as sensitive information and should be kept together, securely and separate from the child's general school records. The information should be shared with all those who need to have it, whether to enable them to take appropriate steps to safeguard the pupil or to enable them to carry out their own duties, but it should not be shared wider than that.

These records must be stored in a secure (i.e. locked) filing cabinet, accessible through the DPCP or their deputy, and other senior staff in larger schools, to ensure reasonable access.

The pupil's general school record file should be marked to indicate that additional information is held about the child (eg a blue star). All staff who may need to consult a child's school file should be made aware of what the symbol means and who to consult if they see this symbol.

A child protection file will be started for an individual pupil as soon as the school is aware of any child protection concerns about that pupil. This may arise in a number of ways eg:

If a member of staff raises a concern about the welfare or well-being of a pupil – this should be recorded in writing (see below for guidance)
If information is forwarded to the school by a previous school attended by the pupil
If the school is alerted by another agency (e.g. health; social care; school or other setting attended by a sibling) of child protection concerns about that pupil

Members of staff should make a written account of any concern they have regarding the welfare or well-being of a pupil, using the school's pro forma for this. This record should be passed as soon as possible to the school's DPCP. Concerns which initially seem trivial may turn out to be vital pieces of information later, so it is important to give as much detail as possible. A concern raised may not progress further than a conversation with the DPCP, or could lead to matters being heard in court. If there hasn't been a specific incident that causes concern, try to be specific about what it is that is making you feel worried

Schools are cautioned against using a form for pupils to use to write out their 'statement' of what has happened. Sadly this can lead to unforeseen and unintended problems where abuse is alleged to have taken place (whether within or outside school), and we must therefore advise all schools that such forms should no longer be used. Such forms do not comply with local and national guidance for child protection issues. The difficulty in continuing to use it for the more minor issues that often arise in schools is that often it is only with hindsight that one can be sure whether or not something is a child protection issue.

Schools child welfare / child protection record pro-forma, should include all of the following:

- A record of the pupil's details: name, date of birth, address and family details
- Date (including year) and time of the event/concern;
- the nature of the concern raised;
- the action taken and by whom
- outcome of any action
- Name and position of the person making the record
- Cross reference to other siblings (including names and education settings if elsewhere)

In the case of disclosure, the record should also include:

- as full an account as possible of what the child said;
- an account of questions put to the child;
- time and place of disclosure;
- who was present at the time of disclosure;
- the demeanour of the child

The DPCP will need to be aware whether the child has any sibling(s) at other schools or early years' settings, and consider whether information held is such that is should be shared with that other setting or whether a check should be made about whether that setting also has concerns about sibling(s).

If the DPCP makes a referral to Children's Social Care, this must be confirmed in writing using the current referral form. The DPCP must record the outcome of the referral on the record sheet, and should chase for an outcome if none is forthcoming within the expected timescale – if necessary using the Escalation Process, and keeping a record of all calls and emails.

Child Protection Files
The pupil's child protection file should contain:

- Any concerns recorded by staff
- Any child protection information received from previous schools or early years' settings attended by siblings; or other agencies
- Copy of any referral by the Designated Teacher to Children's Social Care
- In the case of a child who is the subject of a child protection plan, notes of any Child Protection conferences, review meetings, or Core Group Meetings etc.
- If any information is removed from a file for any reason, a dated note must be placed in the file indicating who has taken it, why and when.

How long should the child protection record be kept?

The school should retain the record for as long as the pupil remains at the school. See para 20 below for guidance on records of school leavers.

If the pupil transfers to another school, the school must transfer the child protection file to the next school as set out below, and keep a copy of the file themselves as evidence of what the school knew and did, when.

If the pupil is removed from the roll to be home educated, the school must copy the child protection file to the Local Authority covering the area where the child lives.

Current guidance from the Records Management Society is that when a pupil with a child protection record reaches statutory school leaving age, the last school attended should keep the child protection file until the pupil's 25th birthday. It should then be shredded (and a record kept of this having been done, date, and why).

Who should have access to child protection records or information?
School staff
The secure filing system should be easily available to the Designated Person for Child Protection Person or their deputy or others as relevant. A locked filing cabinet will usually be adequate.

It is highly unlikely that all members of staff need to know the details of a case, or that there should be widespread access to the records. Access to, and sharing of, information should be

on a need-to-know basis, decided on a case-by-case basis. Consideration must also be given to what needs to be shared. Generally speaking, the closer the day-to-day contact with the child, the more likely the need to know an outline of the case. Essentially, if someone receives information in her/his professional capacity and the person giving that information believes it will be treated securely, and that belief is reasonable, then the recipient of the information will be under a duty to treat it securely.

Pupils and their parents
The child who is the subject of a child protection record has a right to access their personal record, unless to do so would affect their health or well-being or that of another person, or would be likely to prejudice an ongoing criminal investigation.

Parents (i.e. those with parental responsibility in law) are entitled to see their child's child protection file, on behalf of their child, with the same exceptions as apply to the child's right to access to the records. Note that an older pupil may be entitled to refuse access to their parents. The school should take advice about sharing information with parents if they have particular concerns about doing so. However, it is generally good practice to share all information held, unless there is a valid reason to withhold it, e.g. if to do so would place the child at risk of significant harm. If a parent makes a request to access the records on a child's behalf, this should be done in writing.

Other professionals
Child protection information should not ordinarily be shared with agencies other than Children's Social Care, Health, the Police, other relevant schools or early years settings, or the LA – as described in local procedures. Generally, in terms of compliance with the Data Protection Act, obtaining informed consent of the subject would legitimise information sharing, however, this is not always practicable. Information should not be released to solicitors on request – always seek the advice of the LA's legal service in such cases.

References by name to children other than the pupil(s) who is the subject of the record should be removed when disclosing records, unless consent is obtained from the individual/s concerned (or their parents/carer on their behalf). Care should be taken to ensure all identifying information is removed from the copy of the record to be shared.

If the record to be disclosed contains information about an adult professional, that information can be disclosed if it relates to the performance by that person of their job or other official duties e.g. a reference to a teacher in their teaching role or a school nurse in their nursing role. However, if the reference refers to that individual's private life, it should be removed (unless this relates to a child protection matter which is relevant to the record to be disclosed).

Transfer of Records
When a pupil transfers from one school to another, their child protection record (if any) should be forwarded to the new school without delay, separate from their main pupil file. Care must be taken to ensure confidentiality is maintained and the transfer process is safe as possible. Keep a copy of the child protection file until the expiry of the retention period, at which point it should be securely shredded. You should keep a record of having received confirmation from the receiving school and of the date when your shredded your copy record.

If a pupil with a child protection record leaves your school without a forwarding address for home and new school inform your Education Welfare Officer without delay and enquiries will be made. If no contact is received from a new school within 10 school days, inform your EWO and pupil tracking procedures will be instigated if the child's whereabouts are still unknown.

Guidance when making a record of a child protection incident or concern
You won't know when making child protection notes, who will eventually have access to it, or when. It may be consulted months or even years after it was written. Always bear in mind that someone who is a complete stranger to you and your school may need to read your record at some stage in the future.

Ideally, logs of incidents should be typed. Handwritten notes should be clearly legible and written in ink. All notes and reports must contain the following:

Date of the incident
Date and time of the record being made (remember to include the year)
Name and date of birth of the child(ren) concerned
A factual account of what happened, and the location where the incident took place (include the actual words spoken by the child where possible)
A note of any other people involved e.g. as witnesses
Action taken, and any future plans e.g. monitor and review
Any other agencies informed?
Printed name of the person making the record
Job title of the person making the record
Signature (print name alongside)

You should identify the source of your information e.g. 'Ms Terry, a teaching assistant, told me that….' Or 'I saw Rowan in the playground at break time…'

Information should be factual or based on fact. Record what you saw, heard etc. and try not to be vague or woolly (e.g. 'Jenny was crying and rocking' rather than 'Jenny was upset').

Distinguish clearly between fact and your professional opinion. When recording your professional opinion, make it clear what your opinion is based on (e.g. 'Harry ran and hid under the table when his mother arrived to take him home, and clung to me when I tried to get him out. He appeared to be frightened.')

Make a note of what you have done with the information (e.g. 'I consulted the Headteacher, Mr Wilson, and he said he would…')

Try to avoid specialist jargon (e.g. 'he is on SEN stage 3') which someone from another agency would not necessarily understand