



**Stirling**

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# Child Protection Policy

## INTRODUCTION

The Stirling School of English (SSoE) SCIO provides a crèche service for students with pre-school children and may also teach young non-native speakers referred to us by high schools. Please note that parents are in the same building and will take their children to the toilet and/or change nappies, look after them during breaks and feed their children snacks.

SSoE is concerned to safeguard the wholeness and the well-being of every person in our school of whatever age. It is the responsibility of each one of us to prevent the physical, sexual or emotional abuse of every member of our school, and particularly the abuse of those most vulnerable among us, including children and young people.

It is the duty of all those who work with children and young people to prevent harm and abuse of every kind, and to report any abuse discovered or suspected.

This policy should also be brought to the attention of young people and their parent(s), carer(s) or person(s) with parental responsibility so that they have a clear understanding of what to expect if someone in SSoE is concerned about a child or young person.

The school's Child Protection Champion is Ilona Hunter (tel.07925249243).

## RECRUITMENT AND SELECTION OF STAFF AND VOLUNTEERS

Careful consideration needs to be given to the recruitment of staff and volunteers for SSoE.

- All applicants to our organisation will complete an application form
- Short listed applicants will be asked to attend an interview
- Short listed applicants will be asked to provide references and these will always be taken up prior to confirmation of an appointment.

- The successful applicant will be asked to complete a self-declaration form prior to the Disclosure Record being accessed.

It is the policy of the Stirling School of English that no-one shall work or volunteer to work with children and young people within or on behalf of the Stirling School of English who:

- has been convicted of or has received a formal police caution concerning an offence against children as listed in the First Schedule of the Children and Young Person's Act 1933; or
- has been convicted of or has received a formal police caution concerning sexual offences against children and young people.

This means that:

It is our policy that anyone applying to do 'regulated work' with children or young people is suitable for this type of work. In order to do this, individuals will be asked to become a Protection of Vulnerable Groups (PVG) Scheme member and to make a self-declaration of any relevant convictions or investigations. Recent changes in legislation mean that positions of regulated work are no longer exempt from the Rehabilitation of Offenders Act (Scotland). Under the new Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) Amendment Order 2015 applicants are now required to disclose any unspent convictions or cautions and any spent convictions for offences included in Schedule A1 'Offences which must always be disclosed'. However applicants are not required to disclose spent convictions for offences included in schedule B1 'Offences which are to be disclosed subject to rules' until such time as they are included in a higher level disclosure issued by Disclosure Scotland. Prospective employees or volunteers will receive a copy of their PVG certificate 10 days before the employer/charity. During this 10 day window the applicant can lodge an appeal to have any previous spent convictions removed from their PVG certificate before it reaches the employer. It is worth noting that the 10 day window is only to lodge their appeal and the appeal process is likely to take much longer. Details of offences which applicants can now appeal to have removed from their PVG certificate are available at:

<http://www.disclosurescotland.co.uk/about/documents/UKSCOffencesthatwillbedisclosedsubjecttorulesv1website10September2015.pdf>

A non-disclosed new team member may be able to start volunteering with crèche or teaching young persons while their disclosure is being processed, provided that they have successfully completed a self-disclosure form (See Appendix I) and are not left alone with any vulnerable individuals. However, those responsible for the appointment reserve the right to not permit this concession if they have concerns regarding the

suitability for involvement in the school of the individual whose disclosure is outstanding.

The SSoE's policy on the welfare of children and young people will be discussed with the candidate, and they will be asked to sign a form stating that they have received and read this document.

For recruitment of ex-offenders see Appendix II.

### **What do protection services do when I apply to be a PVG Scheme member?**

Are you barred from working with children and/or protected adults?	A check is carried out to confirm that you are not barred from working with children and/or protected adults. If you are barred you will be refused PVG Scheme Membership. This means that you cannot work with the workforce you are barred with (subject to certain exceptions)
You are not barred from working with children and/or protected adults.	A search will be carried out to check for vetting information (e.g. convictions, cautions, children's hearing findings, other relevant information from the police).
There is no vetting information or it does not have a bearing on your suitability to do regulated work.	Your PVG scheme membership certificate will be issued
There is vetting information which has a bearing on your suitability to do regulated work.	If the vetting information identifies conduct which has a bearing on your suitability to do regulated work your application for PVG Scheme membership will be considered by Protection Services.

Source: <https://www.disclosurescotland.co.uk/disclosureinformation/pvgscheme.htm>

All PVG Scheme members are subject to ongoing monitoring (continuous updating). This means that when you are a PVG Scheme member your vetting information is kept up-to-date and if there is new information about you this will be assessed to determine if you are unsuitable to do regulated work with children and/or protected adults.

### **THE RECRUITMENT OF APPLICANTS FROM OUTWITH THE UK**

In addition to the above, in certain circumstances, SSoE can ask prospective volunteers, employees or members of staff who were born or who have lived out with the UK to provide a criminal record certificate, where available, from their government or on appropriate government/police agency in the country where they were born or resided. Guidance on the availability of this service is provided by the CRB in England and can be accessed at: [www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk)

## **TRAINING**

The successful applicant will receive induction training, which will give an overview of the organisation to ensure they know its purpose, values, services and structure. Relevant training and support will be provided on an ongoing basis and will cover information about their role, and opportunities for practicing skills needed for work. Training on specific areas such as health and safety procedures, identifying and reporting abuse, and confidentiality will be given as a priority to new staff and volunteers and will be regularly reviewed.

## **SUPERVISION**

All staff and volunteers will have a designated supervisor who will provide support and regular feedback on their performance, skills, motivation and expectations.

Furthermore, the Stirling School of English will:

- Plan the work of the organisation so as to minimise situations where the abuse of children may occur.
- Make paid and voluntary appointments conditional on the successful completion of a probationary period.
- Issue guidelines on how to deal with disclosure or discovery of abuse.
- Appoint a named individual from within the Stirling School of English to act as the Child Protection Champion. Their role will include the continual monitoring of the effectiveness of the organisations Child Protection Policy, plus the dissemination of information relating to Child Protection to members of the Stirling School of English and to paid staff and volunteers.

## **STORING DISCLOSURE DATA**

SSoE complies with the Code and the 1997 and 2007 Acts regarding the handling, holding, storage, destruction and retention of disclosure information provided by Disclosure Scotland. We also comply with General Data Protection Regulation (GDPR) came into force on May 25, 2011. For further information see Appendix III: Policy on the Secure Handling, Use, Storage, Retention and Destruction of Disclosure Information.

## **PHOTOGRAPHING and /or FILMING CHILDREN and YOUNG PEOPLE**

The majority of occasions when people take photographs or record videos of children and young people are valid and do not provide any cause for concern. Unfortunately, there are occasions when this is not the case and these are some of the risks associated with photographing children:

- The collection and passing on of images which may be misused
- The identification of individual children to facilitate abuse
- The identification of children in vulnerable circumstances

It is therefore recommended that **explicit written consent is always obtained from the parent and child in the registration form when joining the school** in order to comply with legal requirements laid out in GDPR. This states that one of the required conditions for processing sensitive data is that the data subject has given his explicit consent to the processing of personal data.

- **Reason and purpose**

Photographs should only be taken by an authorised person who has a suitable reason related to the child or SSoE i.e., they are a parent, a relative, and a designated member of staff. Unless photographs or videos are taken as part of SSoE activities such as; social events, competitions, excursions etc, they should be used for an individual purpose not a public purpose e.g., not posted on the internet and not passed on to others unconnected with the child. Parents must be aware of these policies and consent to them.

- **Appropriateness of images**

No images to be taken of children which capture them in what are commonly understood as non-public activities like toileting or changing clothes, or which show body parts not usually visible in public settings. Children should be fully clothed. Images involving groups should be about the activity, not the individual child.

- **Identification of subjects**

Any photograph or video should not allow an unauthorised person to identify a child or their whereabouts. So, if using a full name have no photograph, if using a photograph have no full name. Children in vulnerable circumstances, like being

in care or victims of parental violence, should not be photographed or filmed at all unless there is clear consent and no risk.

- **Photography for public display**

SSoE can decide whether publicity photographs are permitted and if so you should inform the press of your policies before they arrive. It is worth noting that it is not illegal to take photographs at a public event even if asked not to do so, but if your event is private then you can insist that your own policy is followed. Photographs or video recordings of children in activities should try to include a wide range of types of children, and not show them in breach of rules, or behaving in a reckless or dangerous fashion. Images should never be stored in personal computers.

When the event starts, SSoE may allow parents to take photos on condition that they will not post them on any social media website. Only the authorised by SSoE person is allowed to take photographs (only of those children whose parents signed the consent form) and post them on social media or use them for marketing purposes.

## **TYPES OF ABUSE, SUMMARY OF SIGNS AND INDICATORS**

The general definition of child abuse adopted in Scottish Office guidance<sup>1</sup> refers to circumstances where “a child or young person’s basic needs are not being met in a manner which is appropriate to his or her individual needs and stages of development and the child is, or will be, at risk through avoidable acts of commission 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, charge of, or control over a child).”

### **Physical abuse**

Is when an adult kicks, beats or punches and a young person’s body is hurt or injured.

*Signs:*

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<sup>1</sup> Protecting Children – A Shared Responsibility – Guidance on inter-Agency Cooperation, Scottish Office 1998

### Physical indicators

- unexplained bruises
- welts, human bite marks
- unexplained burns/immersion marks- severe tantrums
- unexplained fractures
- lacerations or abrasions
- complaining of soreness

### Behavioural indicators

- changes in behaviour
- aggressive behaviour
- an 'I don't care' attitude
- fear of returning home
- fear of one particular adult

### Emotional abuse

Where young people don't receive love and affection, may be frightened by threats or taunts, or are given responsibilities beyond their years

*Signs:*

### Behavioural indicators

- lagging development
- sudden speech disorders
- has few friends
- seems out of control
- over reaction to mistakes
- extremes of passivity or aggression
- appears depressed

### Sexual abuse

Where adults (and sometimes other young people) use young people to satisfy sexual desires; touches a young person's private parts in a way that makes a young person feel worried or unhappy; showing young people rude pictures or videos; sexual abuse can be anywhere in the range from visual contact to penetration.

*Signs:*

### Physical indicators

- soreness or bleeding in throat and or genital areas
- frequent urine infections
- stomach pains for no medical reason
- isolated
- poor eating, nightmares

### Behavioural indicators

- frequent masturbation
- aggressive and inappropriate sex play
- withdrawal
- mistrustful of adults

### **Neglect**

Where adults fail to care for young people and protect them from danger, seriously impairing health and development; when an adult leaves a young person alone for long periods of time.

*Signs:*

### Physical indicator

- loss of weight
- unattended medical needs
- persistent hunger
- self-inflicted wounds
- inappropriate clothing

### Behavioural indicators

- tired or listless
- constantly ask for food
- frequently late or absent
- running away
- child happy with you, not with parent

### **PROCEDURES FOR RESPONDING TO CONCERNS**

1. As an organisation, working with children and young people, SSoE has a general responsibility to act if abuse comes to light and, as far as possible, to protect young

people or vulnerable adults from the possibility of being abused.

2. It is important for a crèche worker or tutor to listen carefully to what the child says without prompting or using leading questions. See “How to react when a child wants to talk about abuse” (Appendix IV).
3. Through volunteer and staff training everyone must be aware of the Child Protection Policy of SSoE and be aware on confidentiality and the limit of the sharing of information on a need to know basis.

### **What to do once a young person has talked to you about abuse**

1. If any young person discloses information about a past or present abuse situation, the crèche worker or tutor must make a hand written narrative of the conversation as soon as possible after they have spoken with that young person (preferably immediately or at least within an hour of the interview). Write down **exactly** what the child or young person said, when he / she said it and what was happening immediately before the interview.
2. You should also make an accurate record of anything that you may have said to the child or young person during the discussion, and any response received.
3. Record dates and times of these events and when you wrote the report.
4. Keep all handwritten notes, even if these have subsequently been typed up.
5. You should not discuss your suspicions or the allegations with anyone other than those set out in the procedures below.

### **Where physical/emotional abuse or neglect is suspected:**

**If you suspect that a child or young person may be the victim of such abuse the following procedure must be followed:**

1. A crèche worker or tutor recognising or being suspicious of abuse have a duty to record the facts (not opinions) objectively and ensure the victim’s safety so far as this is within their power.
2. Inform the Child Protection Champion for SSoE: Ilona Hunter on 07925249243 and

she will act accordingly based on the information she has received. Incidents/suspicions of child abuse will be reported to the Social Services Department by the Child Protection Champion.

- 3 The Child Protection Champion should contact Social Services in case of deliberate injury or if concerned about a young person's safety or if a young person is afraid to return home. **Do not tell the parents.** Stirling Council Social Work department can be contacted on 01786 471177 or out of hours on 0845 277 7000 and ask to get put through to the Emergency Duty Team (EDT)
- 4 The Child Protection Champion should seek medical help if needed urgently, informing the doctor of any suspicions. The decision to refer the victim to his/her GP or A&E department of the nearest hospital for a medical examination will depend on the seriousness of any injury and the need for evidence to pursue a full investigation.
- 5 In the case of lesser concerns (e.g., poor parenting) the Child Protection Champion should encourage parents / carer to seek help (but not if this places young person at risk of further injury)
- 6 All concerns or allegations will be referred to the appropriate agencies i.e., Police/social worker.
- 7 When a volunteer or member of staff is permanently removed from a regulated work position, there are certain circumstances where or organisation must notify the Protection Unit at Disclosure Scotland that this has happened. This is called "Making a Referral". Please see Appendix V for the 'Referrals Policy'.

**If there are allegations of sexual abuse:**

1. Contact Social Services or the Police directly for advice. Do not speak to the parent (or anyone else) if there is a possibility that they could be involved. The fact that you may feel the young person's story is unlikely must not prevent appropriate action being taken. For example, a child may say that he / she have been abused by an older young person. In reality, the perpetrator could be a parent or close relative, but naming another person may be the only way in which this child can seek help
2. It is the responsibility of a crèche worker or tutor to pass on concerns regarding the possibility of abuse to the Child Protection Champion and then the Social Services

Department, albeit that the Child Protection Champion will normally make contact with the Social Services Department.

3. The role of SSoE is essentially collecting and clarifying the precise details of the allegation and providing the information to the Social Services Department, whose task it is to investigate under Section 47 of the Children Act 1989. It is not the job of a crèche worker or tutor to seek evidence.
4. A crèche worker or tutor should normally consult with the Child Protection Champion before reporting incidents / suspicions of child abuse to the Social Services Department. The absence or unavailability of the Child Protection Champion should **not** however delay referral to the Social Services Department. Exceptionally, should there be any disagreement between a crèche worker or tutor and the Child Protection Champion as to the appropriateness of such a referral, a crèche worker or tutor nevertheless retains a responsibility as a member of the public to report serious matters to the Social Services Department.

#### **Action after referral**

1. The crèche worker or tutor should make a careful written note of what has been observed and action taken, and this should be dated and signed. Confirm the referral in writing to the Social Services Department within 48 hours.
2. At an early stage the crèche worker or tutor will need to clarify with the family and the Social Services Department what his / her role will be during the course of the Social Services investigation.
3. It may be helpful to provide a written report on the background to the suspicion / allegation and on the family background in preparation for attendance at the initial child protection conference (normally within 15 days).
4. The crèche worker or tutor may be invited to attend the meeting of the initial child protection conference, either to contribute to the meeting or as a support to the parent. It is important to clarify the expectations in advance.

#### **Action after initial child protection conference**

1. If sent a copy of the minutes, the accuracy should be checked and the Chair of the Conference informed immediately if any errors or amendments are required. The record is otherwise assumed to be agreed. Minutes must, if retained, be kept

securely and confidentiality preserved. Minutes must not be passed on to anyone else or copied.

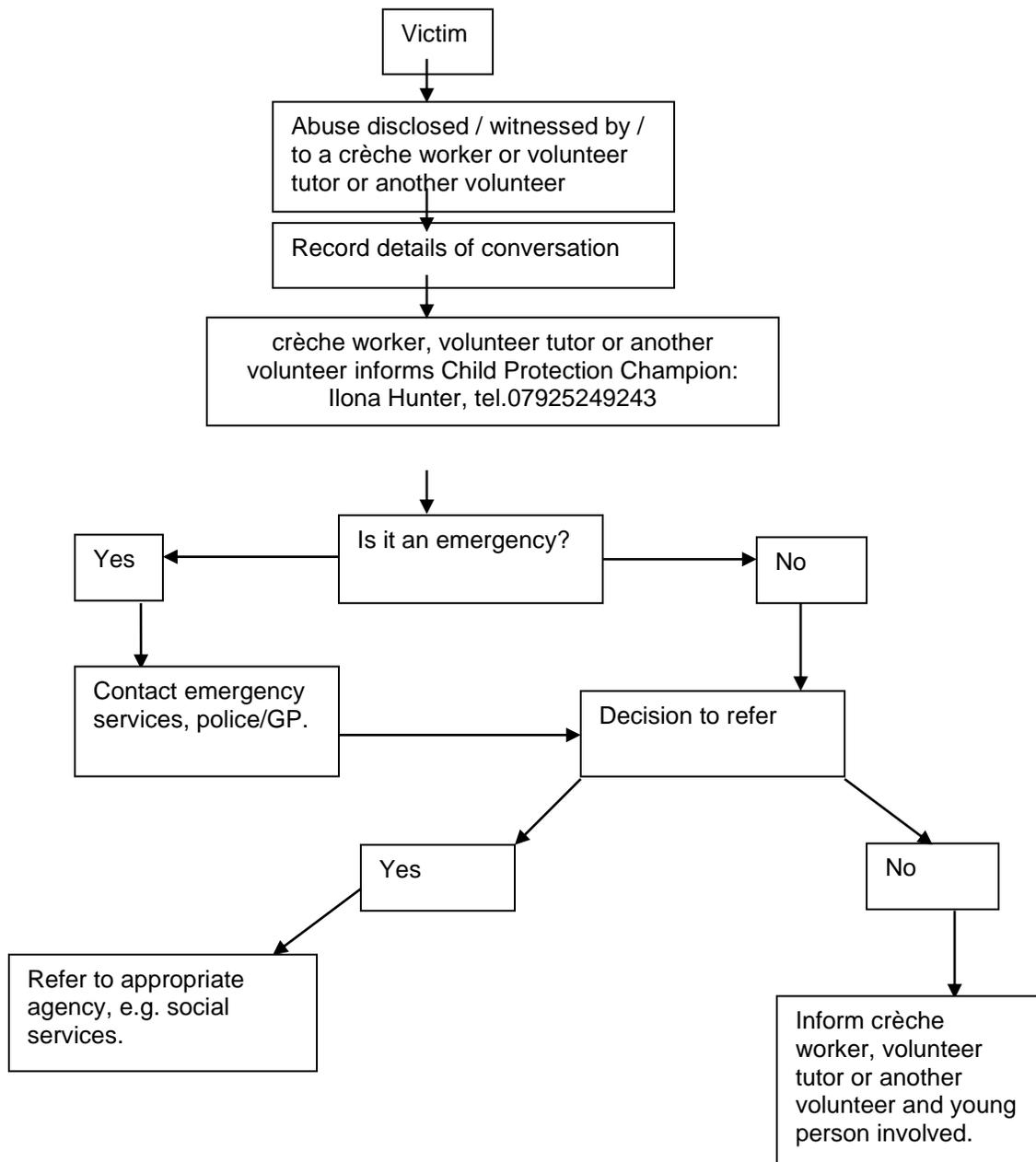
2. If dissatisfied with the outcome of the conference, the crèche worker or tutor should consult with the Chair of the meeting.

#### **Accusations of abuse against Volunteers and Staff of SSoE**

1. If any members of staff or volunteers are accused of abuse SSoE will co-operate with other agencies in the enquiry and the staff member or volunteer will be suspended immediately.
2. If an accusation of abuse is disclosed to a volunteer about another volunteer, then the Child Protection Champion must be informed.
3. If an accusation of abuse is disclosed to a volunteer regarding the crèche worker or another volunteer, the volunteer must report this directly to the Child Protection Champion and not involve the crèche worker or another volunteer. The Child Protection Champion will then deal with the accusation appropriately involving appropriate organisations.
4. If an accusation of abuse is disclosed to a volunteer regarding Child Protection Champion, the volunteer must report this directly to the chairman of the board of management of the charity- David Howes: davidinchatel@yahoo.co.uk
5. All concerns will be taken seriously and appropriate agencies will be contacted and involved. Where grounds for referral are met, the crèche worker or any other volunteer or staff member involved will be referred to the Child Offenders list.

## Summary of referral process

### Disclosure or suspicion of abuse.



- Record details of all conversations with young person including dates, times and everything said and witnessed, also any action taken. Keep a record of this.
- Creche workers / volunteers must never attempt to investigate any child protection concern.
- Creche workers/volunteers should not speak to / contact parents.

## **Protection of workers who report care and protection concerns**

- 1 The law protects anyone from actions by those individuals who have been implicated in the abuse, harm or neglect of a child or young person AS LONG AS the worker's report was not malicious or vexatious.
- 2 The SSoE will provide support to those crèche workers or other volunteers and/or staff involved in an abuse case. This support may come from outside partner organisations.

## **DUTY OF CANDOUR**

The duty of candour is a legal requirement for health, care service and social work organisations to inform people (and their families) when they have been harmed (either physically or psychologically) as a result of the care or treatment they have received.

The offence is committed where a care worker is providing care for another person and ill-treats or wilfully neglects that person. If providing that care is only incidental to the worker's other activities (for example, where the worker is a cleaner) then such a person would not fall within the definition.

SSoE will produce annual report on the duty of candour for each financial year with the number of incidents which fell under the regulations, avoiding the identification of individuals.

## **DATA PROTECTION AND MANAGEMENT OF CONFIDENTIAL INFORMATION**

- 1 Every effort should be made to ensure that confidentiality is maintained for all concerned.
- 2 Information should be handled and disseminated on a "need to know" basis only.
- 3 Information should be stored in a secure place with access limited to designated people; in line with data protection legislation (e.g., that information is accurate, regularly updated, relevant and secure).
- 4 SSoE regard the lawful and correct treatment of personal information as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly.

## **REVIEW OF CHILD PROTECTION POLICY AND PROCEDURES**

- 1 This policy and procedures will be regularly monitored and reviewed:
  - in accordance with changes in legislation and guidance on the protection of children and young people.
  - Following any issues or concerns raised about the protection of children and/or young people.
  - In all other circumstances, every second year.
- 2 Responsibility for this review will lie with the Board of Management in consultation with the Volunteer Manager and the crèche workers.
- 3 Date of last review: June 2022