

EAST RENFREWSHIRE COUNCILEDUCATION COMMITTEE22 August 2024Report by Director of EducationSTANDARD CIRCULAR 57: CHILD PROTECTION**PURPOSE OF REPORT**

1. The purpose of this report is to seek Education Committee approval of the revised Standard Circular 57 Child Protection (Appendix 1) which provides guidance on child protection in East Renfrewshire Early Learning and Childcare (ELC) settings and schools.

**RECOMMENDATIONS**

2. Education Committee is asked to:
- a. Approve and comment on the revised Standard Circular 57 Child Protection.
  - b. Ask the Director of Education to take appropriate steps to ensure its implementation in all schools and early learning and childcare settings.

**BACKGROUND**

3. The Scottish Government published revised guidelines on [Child Protection Guidance](#) in 2023 to reflect the changed and changing landscape in this field and provide a framework for local authorities and other agencies to protect all children. The updated national guidance describes the responsibilities and expectations for all involved in protecting children and supports the care and protection of children.

4. Revised Standard Circular 57 reflects the requirements of the National Guidance for Child Protection in Scotland (2021 – updated 2023). The circular also takes into account East Renfrewshire Council's Child Protection Guidance, the update of which is in the process of being finalised and current legislation such as the United Nations Convention on the Rights of the Child (UNCRC) (Incorporation) (Scotland) Act 2024, which has directly incorporated the UNCRC into domestic law.

5. The UNCRC consists of 54 articles including the right to life, survival and development; the right to protection from violence, abuse or neglect; the right to an education that enables children to fulfil their potential; the right to be raised by, or have a relationship with, their parents and the right to express their opinions and be listened to.

6. Scotland's Promise to children and young people is that they will grow up loved, safe and respected. The Promise is built on 5 foundations; voice, care, family, people and scaffolding. Children's rights and The Promise are central to Standard Circular 57 as children and young people must be heard in decision making that affects them and they feel safe when the relationships which they need are recognised, supported and sustained.

## REPORT

7. As mentioned in Paragraph 4, this Standard Circular has been updated following the update of National Guidance. Whilst much of the Standard Circular remains the same, changes that have been made include:

- Reference to updated GIRFEC Refresh materials
- Importance of child's voice
- Links are made to whole family wellbeing
- Focus on strengths based language
- Children's rights embedded
- Language of Keeping the Promise

8. The National Guidance for Child Protection in Scotland (2021 – updated 2023) highlights that children and young people can be abused in a number of different ways and provides definitions of abuse against the following non-exhaustive areas of concern:

- Physical abuse
- Sexual abuse
- Neglect
- Emotional abuse
- Criminal exploitation
- Child trafficking
- Female genital mutilation
- Forced marriage

9. The draft Standard Circular sets out guidance for staff working in educational settings and advises staff on key areas including definitions of child abuse, roles and responsibilities, referral and recording procedures, safeguarding, children missing from education, information sharing, partnership working, professional learning and monitoring procedures.

10. The updated Standard Circular will be shared with all Head Teachers and Child Protection Co-ordinators. In addition to this, a professional learning presentation has been developed to accompany this Standard Circular. This presentation will be delivered in every setting and school to all members of staff to ensure everyone has a shared understanding of the updated guidance. Further professional learning opportunities will be developed in partnership with the ERC Child Protection Committee.

## FINANCE AND EFFICIENCY

11. There are no financial implications for the department or schools related to this paper.

## CONSULTATION

12. East Renfrewshire's Child Protection Lead Officer has been consulted on the contents of this revised Standard Circular.

## IMPLICATIONS OF THE PROPOSALS

13. An Equality, Fairness and Rights Impact Assessment has been undertaken to support the update of this Standard Circular.

## CONCLUSION

14. The revised Standard Circular 57 Child Protection in East Renfrewshire ELC settings and schools seeks to update practice in protecting and safeguarding children and young people through linking current research and policy such as the The Promise, Getting it Right for Every Child and UNCRC in order to support all education establishments.

## RECOMMENDATIONS

15. Education Committee is asked to:
- a) Approve and comment on Revised Standard Circular 57 Child Protection.
  - b) Ask the Director of Education to take appropriate steps to ensure its implementation in all schools and early learning and childcare settings.

Mark Ratter  
Director of Education  
22 August 2024

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Appendix 1: Standard Circular 57 Child Protection in East Renfrewshire Settings and Schools

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REVISED STANDARD  
CIRCULAR 57  
June 2024

**EAST RENFREWSHIRE COUNCIL**

**EDUCATION DEPARTMENT**

The Council Office  
211 Main Street  
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TO HEADS OF ALL EDUCATIONAL ESTABLISHMENTS

Dear Colleague

**REVISED STANDARD CIRCULAR 57 CHILD PROTECTION**

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## 1. Introduction

- 1.1 Revised Standard Circular 57 provides guidelines for all staff in East Renfrewshire's education establishments to ensure that all children and young people are protected and that their needs are being met.
- 1.2 Revised Standard Circular 57 reflects the requirements of the *National Guidance for Child Protection in Scotland (2021 – updated 2023)*. The circular also takes into account current legislation which is listed in appendix 4 of this document.
- 1.3 The UNCRC (Incorporation) (Scotland) Act 2024 places children's rights at the heart of what we do. East Renfrewshire Council Education Department is committed to the *United Nations Convention on the Rights of the Child* and its implementation in education establishments through, for example, the UNICEF Rights Respecting Schools Award. UNCRC underpins the Getting it Right for Every Child approach. The child's best interests, right to non-discrimination, and appropriate involvement in decision-making are key requirements.
- 1.4 *The National Framework for Standards - Protecting Children and Young People, Scottish Executive (2004)* is the means by which the Charter for Children is delivered in all education establishments. These standards apply to all professionals working with children. Connections between safety and rights are further illustrated in *The Promise* as children must be heard in decision-making that affects them. Children feel safe when the relationships which they need are recognised, supported and sustained.
- 1.5 All staff within education settings have a duty of care to make sure all children and young people are safe from abuse, neglect and exploitation. This includes all staff within a school or centre; supply teachers, all support staff, technicians, janitorial, catering and cleaning staff who have regular contact with children. Day to day professional experience of, and relationships with children, is a fundamental protective factor. As such, all staff must be aware of and must follow, Child Protection procedures.
- 1.6 In fulfilling this duty, close partnership working is essential, with parents and carers and relevant agencies - primarily Social Work, Police, Health Services and the Scottish Children's Reporters Administration (SCRA). It is the sharing of information, collective thinking and collaborative action that enables decisions to be made in the best interests of children.
- 1.7 Standard Circular 57 details the procedures and actions to be taken when there are concerns relating to the care and welfare of a child or children and/or the potential risk to their wellbeing. Head Teachers should ensure these procedures are adhered to and followed meticulously at all times unless to do so will place the child at higher risk. In such a circumstance, advice must be sought from East Renfrewshire Council Legal Services and the Head of Education Services (Equality and Equity).
- 1.8 Revised Standard Circular 57 must be brought to the attention of all staff on an annual basis.

## 2. Definitions

- 2.1 For the purpose of this Revised Standard Circular a 'child' is understood to be a young

person under the age of 18 years and still at school. Young people who have left school and are aged 16 – 18 will be covered by adult protection procedures unless their needs are assessed to lie within child protection. There may be instances in which the adult protection legislation offers greater protection to children and young people. Social Work will determine this on assessment of the referral.

2.2 The *National Guidance for Child Protection in Scotland (2021 – updated 2023)* highlights that children and young people can be abused in a number of different ways and provides definitions of abuse against the following non-exhaustive areas of concern (see *Appendix 1*):

- Physical abuse
- Sexual abuse
- Neglect
- Emotional abuse
- Criminal exploitation
- Child trafficking
- Female genital mutilation
- Forced marriage

2.3 The guidance also illustrates a range of possible indicators of risk which can be used in the recording process to categorise the key elements of concern.

“Safeguarding” is a term which is broader than ‘child protection’ and relates to the action taken to promote the welfare of children and protect them from harm. Safeguarding is the responsibility of everyone and incorporates protecting children from abuse and maltreatment, preventing impairment of children’s health and development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes.

### **3. Role and Responsibilities of Education Staff within Educational Establishments**

3.1 All settings should designate a member of the Senior Leadership Team, normally the Head Teacher, as Child Protection Coordinator. The Child Protection Coordinator must:

- Be the main contact for child protection referrals from staff and ensure the procedures in this circular are followed;
- Ensure all staff are informed about child protection through annual in-house child protection training and access to the child protection training calendar;
- Engage in appropriate professional learning, including Signs of Safety, and other relevant training specific to their role;
- Ensure general information on pupil support and child protection is readily available to parents, staff and pupils;
- Liaise with other agencies to support investigations, court proceedings, child supervision requirements and case referrals and attend all related meetings as appropriate;
- Ensure meticulous record keeping of all information, related to child welfare and protection using a chronology of significant events, with relevant documentation;
- Ensure child protection files are securely stored, with clear protocols for sharing of the information.

- 3.2 The Head Teacher is responsible for ensuring that the appropriate procedures are followed in the event of concerns regarding a child's welfare or evidence of the risk of immediate danger to them.
- 3.3 The setting has a key role to play in early intervention and prevention and must utilise the wide range of available professional expertise to support children and their families. The Joint Support Team (JST) has a key role to play in this as a forum for agencies to share information and plan for cohesive and appropriate intervention.
- 3.4 Settings should fully utilise the refreshed GIRFEC framework (Education) to identify, assess and plan to meet the needs of children and young people.
- 3.5 All staff must:
- Ensure they are fully conversant with Revised Standard Circular 57;
  - Contribute to a proactive ethos, which seeks to minimise the risk of harm;
  - Share information on an inter-agency basis which is of benefit to a child's wellbeing;
  - Focus on preventative, early intervention strategies;
  - Respond effectively and promptly to any concerns, especially of imminent risk to a child;
  - Contribute to the assessment of a child's needs and necessary support;
  - Contribute to assessment and recording of all child welfare and child protection concerns, using a chronology of significant events and related documentation.
- 3.6 Settings should review and update their policies annually by involving staff, pupils and parents in discussion and development. This helps to ensure the relevance of policies and gives priority to the rights, safety and wellbeing of children and young people including helping them develop in their ability to keep themselves and others safe and how to access support if they need it.
- 3.7 All settings should operate within a good practice framework for pupil support which reflects the vision, values and principles of East Renfrewshire Council Education Department as set out in key policy documentation.
- 3.8 Education staff have a key role in monitoring and supporting children, particularly in the case of any child who is on the Child Protection Register. Staff may have a range of concerns about a child which do not necessitate a child protection referral; such a child may be referred to the Joint Support Team. Where a child is in need of support, a Single Agency Wellbeing Plan may be sufficient to plan to meet the child's needs.
- 3.9 The setting should record concerns, or significant events using the chronology which is available on the Education GLOW, Staff Only section:
- [Significant Events Chronology.doc \(sharepoint.com\)](#)
- 3.10 Some children may require more intensive support and settings should be proactive in utilising their own resources, including multi-agency and Education staff, and in calling planning meetings in line with GIRFEC framework advice. Where there is a need for a more comprehensive assessment and inter-agency support is required further assessment should be actioned.
- 3.11 Learners and families with English as an additional language should be given support



through the provision of appropriate and available Departmental resources.

- 3.12 In line with the Signs of Safety framework, Education staff are required to attend all relevant Child Protection planning meetings and provide a written report of their assessment of the child's needs and/or progress made in implementing a previous Child Protection Plan or Wellbeing Plan. The appropriate Child Protection planning meeting report should be completed prior to attending. These are contained on the Education Intranet, Staff Only Site.
- 3.13 Information on the establishment's child protection policy and procedures for making a referral should be contained in handbooks and available on websites. Posters identifying key members of staff in relation to Child Protection should be displayed in reception areas. All visitors to the building should routinely be issued with identification (Refer to Section 10).

#### **4. Referral and Recording Procedures**

- 4.1 Education staff are in a unique position because of their daily contact with children. They will often be the first person with whom a child shares their concerns, or who notices a change in the child's behaviour. Staff also work hard to maintain positive relationships with parents and carers. In the event of a disclosure or of concern staff should be aware that they do not have the authority to investigate these concerns which must be reported to Social Work and/or the Police. Where there are concerns about significant risk or safety in the home setting, Head Teachers should make a direct referral without reference to the parent/carer.
- 4.2 Children and young people have a right to be listened to and their voice heard. A child or young person may seek out a trusted member of staff to tell them about a worry or concern. In such situations, the member of staff should:
  - Be supportive and assure them you will only share this information with those people who need to know in order to prevent any further harm;
  - Take time to listen to what the child is saying, without asking too many questions;
  - Reassure the child that they were right to tell you;
  - Record in the child's own words what was said; and,
  - Sign and date these notes.
- 4.3 The investigation of referred concerns is the responsibility of Police Scotland and Social Work personnel and is carried out by specially trained staff following structured procedures. This process can be hindered by attempts to gather evidence at an earlier stage.
- 4.4 The information should immediately be passed on to the Head Teacher and the Child Protection Coordinator. If the Head Teacher or Child Protection Coordinator is unsure if the concerns warrant child protection action, they may seek advice from the Request for Assistance Team on what course of action, if any, should be taken.
- 4.5 If the Head Teacher considers that a child may have been abused or is at risk of abuse, a Child Protection Referral should be made, by telephoning the Social Work Request for Assistance Team.
- 4.6 Where a child is felt to be in immediate danger, Police should be contacted.

- 4.7 If the child or their family has English as an additional language, support should be provided through appropriate and available Departmental resources.
- 4.8 A list of Social Work and Police telephone numbers is contained in Appendix 3.
- 4.9 A Child Protection Referral Form is available on the Education, Staff Only Intranet.

[Child Protection Referral Form.doc \(sharepoint.com\)](#)

It should be completed and a copy sent that day to:

- Social Work Request for Assistance Team or relevant Social Work Office (if not ERC)
  - Lead Officer (Child Protection)
  - Head of Education Services (Equality and Equity)
  - Principal Educational Psychologist, if the child has additional support needs. The School Nurse or in Early Years settings the Health Visitor
- 4.10 A copy of the Referral Form should be kept in the child's file and details of referral added to their chronology.
- 4.11 The Head Teacher may also send a copy of the Referral to the Reporter, where there are significant enough concerns to prompt the consideration of compulsory measures of care.
- 4.12 Social Work will determine the action to be taken following a formal referral and confirm their decision and action taken to the Head Teacher.
- 4.13 In line with Health Board procedures, the School Nurse or Health Visitor will monitor all Child Protection Referrals received and carry out further action as required.
- 4.14 On occasions Police and Social Work will require to carry out a Joint Investigative Interview (JII). The purpose of a JII is to gather forensic evidence and hear in the children's words their views on the presenting issues. In such circumstances this will be done by Police and Social Work staff trained in the Scottish Child interview Model (SCIM) in specialist designated buildings. In exceptional circumstances there is flexibility to bring the visual recording system to an agreed destination, for example, the school building, if in collaboration with the young person it was agreed that this was in their best interest. East Renfrewshire Council alongside Police and the Scottish Criminal Justice Courts have adopted the Bairns Hoose model that is underpinned by trauma informed and trauma recovery practice for children. Currently, this is running in parallel with the SCIM model with the expectation it will replace it in the coming years.
- 4.15 Where there is any concern related to the conduct of a member of staff, immediate contact must be made with the Head Teacher.
- 4.16 Where a member of staff has concerns related to the conduct of the Head Teacher, immediate contact should be made with the Education Senior Manager (Developing People).

## **5. Safeguarding**

- 5.1. The care and protection of children and young people is central to the work of staff in all establishments and fundamental to creating an environment for learning. As such, all staff in settings have a crucial role in identifying and responding to the needs of children.
- 5.2. Within East Renfrewshire, establishments have a number of early intervention strategies in place for identifying vulnerable children and those in need of additional support. The Education Consultancy Group and Education Resource Group consider the need for additional educational resources. The Early Years Intervention Group provides support and allocates places for vulnerable children in early years.
- 5.3. All educational establishments operate within the GIRFEC framework (Education).
- 5.4. In line with *Getting it Right for Every Child* all children with additional support needs, as defined in the broadest sense, should have an individualised plan in place.
- 5.5. Education staff will:
  - Contribute to the planning process by providing assessment information and identifying needs;
  - Provide resources to implement the plan;
  - Co-operate with multi-agency monitoring and review procedures as relevant to their areas of responsibility;
  - Continue to monitor the child's wellbeing in the context of regular pastoral care procedures; and,
  - Involve Psychological Services in the subsequent care plan, where appropriate.
- 5.6. The use of preventative approaches and early identification of need can help avoid child protection action at a later stage

## 6. Children Missing From Education

- 6.1. Standard Circular 5 details policy and procedures related to Attendance at School. Head Teachers and staff should implement these procedures rigorously.
- 6.2. Procedures to be followed when children are missing from education are contained in Revised Standard Circular 57(a). These relate to children who attend early years establishments, primary and secondary schools. Staff should work in line with [Children Missing from Education Service Guidance](#) (2022), which contains resources and Children Missing from Education contacts. The Children Missing from Education (Scotland) Service provides guidance and advice on good practice concerning cases of children missing from education, and checks the national Management Information System (SEEMiS) to see if the child has enrolled at another publicly funded school in Scotland.
- 6.3. Although attendance at early years settings is not compulsory, procedures in Revised Standard Circular 57(b) should be followed when a child fails to attend or is missing from education, within a nursery or family centre.

## 7. Confidentiality and Information Sharing

- 7.1. It is critical that education staff are clear that wherever there is reasonable cause to suspect that a child or young person may be suffering or may be at risk of suffering significant harm, they should share, seek advice and where necessary refer concerns to Social Work or Police. The child's interests must be the overriding consideration in making such decisions.
- 7.2. All children and young people have a right to be listened to and to have matters treated in confidence. Involving children and young people and upholding their rights has always been good practice and builds trust with children, young people and their families, however it is now law following UNCRC legislation. Where there is no risk to a child's wellbeing, education staff should respect their right to confidentiality.
- 7.3. Where possible, consent to share information should be sought from the child and their parent or carer, the exception to this is where there is potential of harm to the child or young person or where the child or young person has already been identified as being at risk through child protection procedures. In such circumstances then the need for consent is overridden and information should be shared with appropriate agencies.
- 7.4. For the purposes of the Data Protection Act a person over 16 has the capacity to consent. A child under 16 has that capacity if the child has a general understanding of what is involved. In the absence of any indication to the contrary children aged 12 or over are generally expected to be old enough and to have that understanding to give their consent. However the understanding or capacity of the child needs to be considered individually. In most cases, where a child is unable to consent, then a person with parental responsibilities and parental rights, such as a parent, guardian or carer, should be asked to give consent on behalf of the child unless this places the child or others at greater risk.
- 7.5. Children and young people should be advised that there are no guarantees to confidentiality, where the Child Protection Co-ordinator/ Head Teacher assesses them to be at risk.
- 7.6. In line with the commitments of [The Promise](#) children and young people who are looked after or looked after away from home by the local authority have the same rights to confidentiality with the same caveats in respect of assessed risk.
- 7.7. While it is essential that there is information brought to the attention of the Child Protection Coordinator from a wide range of sources, education establishments should have a protocol for sharing information. This should include which staff are informed of investigations or action concerning a child or young person. However, it is appropriate to ensure all staff are aware when a child may need extra care and support, without necessarily being provided with full details of why this is required.
- 7.8. Staff in support roles, particularly those with contact with parents within the setting or in the family home, must be informed of any investigation or action planning following child protection concerns. They may need this to ensure their own safety.
- 7.9. Other staff may require more limited information to help them deal sensitively with children and young people in different situations e.g. changing for physical education, lateness.
- 7.10. It is appropriate that any member of staff who first reports concerns is helped to feel that they were right to share concerns and are assured that appropriate responses will be made by the Child Protection Co-ordinator and/or Head Teacher.

- 7.11. Settings should have an effective, secure system for storing information related to children and young people. This should ensure that the needs of the child or young person are met, by ensuring effective recording and sharing of information and a clear protocol for accessing confidential information related to a child or young person.

## **8. Communication with parents/carers and members of the community**

- 8.1. General information should be available to all parents, carers and members of the community through the handbook, website and leaflets. This information should:
- Provide parents/carers, children and young people with a named contact and how to get in touch if they have concerns about safety and wellbeing of children;
  - Tell parents, children and young people how the setting responds to concerns or allegations;
  - Inform parents, children and young people of the setting's complaints procedure;
  - Describe the confidentiality policy;
  - Describe how the setting ensures staff are suitable to work with children and young people;
  - Describe the setting's general measures for keeping children and young people safe and well; and,
  - Explain the learning opportunities for children and young people to keep themselves safe and well.
- 8.2. There should be specific information for parents if action is required when there are concerns. This should:
- Explain the setting's responsibilities in jargon-free language;
  - Provide named contacts for further information, in the setting and local authority;
  - Give details of organisations that can help parents, such as translating services, advocacy or support;
  - Explain the setting's policy on recording action in response to concerns; and,
  - Ensure clear communication between staff when a family is the focus of concerns, to decide on an appropriate communication strategy.

## **9. Engagement with partner providers and visitors to educational establishments**

- 9.1. It is the responsibility of the Head Teacher to ensure that any organisation or service engaged directly by settings and external to the Education Department:
- Is fully briefed on Revised Standard Circular 57; and,
  - Has clear procedures and training in place to ensure the care and safety of children with whom they are working.
- 9.2. All parents, visitors to settings who have regular and sustained contact with children or who are required to supervise children must undergo an enhanced PVG (Protection of Vulnerable Groups) check.
- 9.3. The Education Department will ensure that all authority engaged providers, including FE colleges and ELC funded providers will be provided with a copy of Revised Standard Circular 57 and appropriate training offered.

## **10. Career Long Professional Learning**

- 10.1. At the start of each new session, the Child Protection Coordinator should ensure that all staff are fully briefed on Revised Standard Circular No. 57, with a minimum of an annual review of policy and practice to ensure compliance with the Standard Circular.
- 10.2. Training materials are available on the Education GLOW: Staff only site.
- 10.3. All staff should sign the training log annually to acknowledge they have received training on child protection procedures. The Child Protection Coordinator should ensure the Child Protection Training Log is signed and completed for each member of staff and a copy submitted to the Quality Improvement Manager (Child Protection) in September each year.
- 10.4. The Quality Improvement Manager (Child Protection) has a specific responsibility to coordinate and monitor child protection training, within the Education Department and all settings, and liaises with the Council's Child Protection Lead Officer.
- 10.5. There are three levels of central inter-agency training; an annual programme is issued and can be accessed using the CPD Manager or by contacting the Quality Improvement Manager (Child Protection). The Child Protection Coordinator should ensure that key staff undertake CLPL at the appropriate level depending on their role.
- 10.6. The Child Protection Coordinator should ensure all visiting staff and students within the setting are briefed on child protection procedures as part of their induction procedures.
- 10.7. Child Protection Coordinators receive additional training through the Council's Child Protection training programme and seminars on relevant issues and from regular meetings and communication with the Quality Improvement Manager (Child Protection).
- 10.8. Head Teachers will be routinely advised of any developments.

## **11. Equal Opportunities**

- 11.1. The Head Teacher / the Child Protection Coordinator should ensure that the setting's Child Protection Policy and Procedures is compliant with the legal requirements of the Equality Act (2010).
- 11.2. This may involve ensuring that children and parents who require it have access to translation and interpreting services, sign language, etc. through the Education Department or Council's support services.

## **12. Monitoring Procedures**

- 12.1. The Head Teacher and the Child Protection Coordinator should regularly carry out self- evaluation of the setting's child protection procedures, using the appropriate nationally produced quality indicators.
- 12.2. This should include gathering evidence on the effectiveness of the setting's support

system from children, staff and parents. Any areas for improvement should be included in the setting's planning structures and if they involve another agency, communicated to the Head of Education Services (Equality and Equity) or the Quality Improvement Manager (Child Protection).

- 12.3. The Education Department, through its quality assurance procedures, has a key role through Collaborative Improvement Visits to review and monitor the delivery of policy and general adherence to Revised Standard Circular No. 57.
- 12.4. The Quality Improvement Manager (Child Protection) will continue to work with Child Protection Co-ordinators to monitor child protection files in a sample of settings on an annual basis to ensure consistency with the Case File Management guidance available. The Quality Improvement Manager will oversee the process to ensure that all settings are involved at least every two years, however, settings will be encouraged to review on an annual basis. Where appropriate, consideration may be given to Support and Protection review activity.
- 12.5. The Education Department collates and monitors responses to questionnaires issued to staff, pupils and parents as part of a review or inspection of a school or centre and will discuss the responses to such with individual Head Teachers as part of the review process. Annual analysis of such will be discussed at Head Teacher forums on an annual basis.
- 12.6. The Director of Education has a strategic overview of the Child Protection Policy within the Education Department and attends the Chief Officer Public Protection meetings. The Head of Education Services (Equality and Equity) has strategic and operational responsibility and is a member of the Child Protection Committee, which is a multi-agency group, with overall responsibility for Child Protection within East Renfrewshire Council.

### 13. Prevent

Section 26 of the Counter-Terrorism and Security Act 2015 (the Act) [Revised Prevent duty guidance: for Scotland \(2015\) - GOV.UK \(www.gov.uk\)](#) places a duty on local authorities to have, in the exercise of their functions, "*due regard to the need to prevent people from being drawn into terrorism*". Where schools have any such concerns they should seek initial advice from the Community Safety Manager, East Renfrewshire Council. In the event of a heightened or immediate concern the police should be contacted as a matter of urgency.

## **Appendix 1- Definitions**

### **What is Child Protection?**

Child protection refers to the processes involved in gathering and assessing and planning what action may be necessary where there are concerns that a child may be at risk of harm. Child protection procedures should be initiated when police, social work or health professionals determine that a child may have been abused or may be at risk of significant harm.

*All agencies have a responsibility to recognise and actively consider potential risks to a child, irrespective of whether the child is the main focus of their involvement...Effective partnerships between organisations, professional bodies and the public are more likely if key roles and responsibilities are well defined and understood.*

National Guidance for Child Protection in Scotland (2021 – updated 2023)

### **What is child abuse and child neglect?**

*Abuse and neglect are forms of maltreatment. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children may be maltreated at home; within a family or peer network; in care placements; institutions or community settings; and in the online and digital environment.*

National Guidance for Child Protection in Scotland (2021 – updated 2023)

While it is not necessary to identify a specific category of abuse when adding a child's name to the Child Protection Register it is still helpful to consider and understand the different ways in which children can be abused. The following definitions show some of the ways in which abuse may be experienced by a child but are not exhaustive, as the individual circumstances of abuse will vary from child to child.

#### **Physical abuse**

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

#### **Emotional abuse**

Emotional abuse is the persistent emotional ill treatment that has severe and persistent adverse effects on a child's emotional development. 'Persistent' means there is a continuous or intermittent pattern which has caused, or is likely to cause, significant harm. Emotional abuse is present to some extent in all types of ill treatment of a child, but it can also occur independently of other forms of abuse.

#### **Child Sexual abuse (CSA)**

Child sexual abuse (CSA) is an act that involves a child in any activity for the sexual gratification of another person. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. A child under age 16 cannot consent to sexual activity at all, so it cannot be claimed that the child consented or assented to such activity. Generally, the position for children aged 16/17 will depend on whether there is consent or a reasonable belief of consent. Some sexual offences, such as sexual abuse of trust (section 42 of the Sexual Offences (Scotland) Act 2009) apply up to age 18 irrespective of consent. The offences of taking or possession of indecent photographs of children (sections 52 and 52A of the Civic Government (Scotland) Act 1982) apply up to age 18, with certain defences related to those in established relationships where the child is reasonably believed to be 16 or over

#### **Child sexual exploitation (CSE)**

Child Sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a person under 18 into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact. It can also occur through the use of technology.



**Criminal exploitation**

Criminal exploitation refers to the action of an individual or group using an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for the financial or other advantage of the perpetrator or facilitator. Violence or the threat of violence may feature. The victim may have been criminally exploited, even if the activity appears consensual.

**Child trafficking**

Child trafficking involves the recruitment, transportation, transfer, harbouring or receipt, exchange or transfer of control of a child under the age of 18 years for the purposes of exploitation. Transfer or movement can be within an area and does not have to be across borders. Examples of and reasons for trafficking can include sexual, criminal and financial exploitation, forced labour, removal of organs, illegal adoption, and forced or illegal marriage.

**Neglect**

Neglect consists in persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in the serious impairment of the child's health or development. There can also be single instances of neglectful behaviour that cause significant harm. Neglect can arise in the context of systemic stresses such as poverty and is an indicator of both support and protection needs.

**Faltering growth**

Faltering growth refers to an inability to reach normal weight and growth or development milestones in the absence of medically discernible physical and genetic reasons. This condition requires further assessment and may be associated with chronic neglect. Malnutrition, lack of nurturing and lack of stimulation can lead to serious long-term effects such as greater susceptibility to serious childhood illnesses and reduction in potential stature. For very young children the impact could quickly become life-threatening. Chronic physical and emotional neglect may also have a significant impact on teenagers.

**Female genital mutilation**

Female genital mutilation is an extreme form of physical, sexual and emotional assault upon girls and women involves partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. Such procedures are usually conducted on children and are a criminal offence in Scotland. FGM can be fatal and is associated with long-term physical and emotional harm.

**Forced marriage**

Forced marriage refers to a marriage conducted without the full and free consent of both parties and where duress is a factor. Duress can include physical, psychological, financial, sexual, and emotional abuse. Forced marriage is both a child protection and adult protection matter. Child protection processes will be considered up to the age of 18. Forced marriage may be a risk alongside other forms of so called 'honour-based' abuse (HBA). HBA includes practices used to control behaviour within families, communities, or other social groups, to protect perceived cultural and religious beliefs and/or 'honour'.

## What is harm and significant harm in a child protection context?

Child protection is closely linked to the risk of 'significant harm'. 'Significant harm' is a complex matter and subject to professional judgement based on a multi-agency assessment of the circumstances of the child and their family. Where there are concerns about harm, abuse or neglect, these must be shared with the relevant agencies so that they can decide together whether the harm is, or is likely to be, significant. The Children and Young People (Scotland) Act 2014, introduces a legal duty for a wide range of public bodies and those commissioned or contracted to them to share such concerns. Through early and effective intervention and the sharing of wellbeing concerns it is hoped that crisis can be avoided in many cases.

Significant harm can result from a specific incident, a series of incidents or an accumulation of concerns over a period of time. It is essential that when considering the presence or likelihood of significant harm that the impact (or potential impact) on the child takes priority and not simply the suspected or reported abusive behaviour. It should be remembered that the threshold for referral to the Children's Reporter is not the significant harm threshold, but when it is considered that a child is in the need of protection, guidance, treatment or control and Compulsory Measures of Supervision might be necessary.

Protecting children involves preventing harm and/or the risk of harm from abuse or neglect. Child protection assessments are triggered when the impact of harm is deemed to be significant.

In assessing whether harm is or may become 'significant', it will be relevant to consider:

- the child's experience, needs and feelings as far as they are known
- the nature, degree and extent of physical or emotional harm
- the duration and frequency of abuse and neglect
- overall parenting capacity
- the apparent or anticipated impact given the child's age and stage of development
- extent of any premeditation
- the presence or degree of threat, coercion, sadism and any other factors that may increase risk to do with child, family or wider context
- what current protective factors are in place to reduce risk of harm

Sometimes, a single traumatic event may constitute significant harm – for example a violent assault, suffocation or poisoning. More often, significant harm results from an accumulation of significant events, both acute and long-standing such as neglect that affects the child's physical and psychological development.

Significant harm is a matter for **professional judgement** and requires practitioners to make a decision about a child's needs, the capacity of parents or carers to meet those needs, and the likelihood of harm, significant or otherwise. In understanding risk it is important that the wishes, feelings and reactions of the child inform the assessment of need and risk.

**Appendix 2 – Useful Contact Numbers**

**Education**

Head of Education Services (Equality and Equity) 0141 577 3481

**Social Work**

Request for Assistance Team 0141 577 8300

Out of hours: Standby Social Work 0300 343 1505

Police Scotland – ask for the Public Protection Unit 101  
 Barrhead Police Station 0141 532 6200  
 Giffnock Police Station 0141 532 5700

Children’s Reporter (East Renfrewshire team) 0131 244 8201

Childline 0800 1111

ERC Child protection website: <http://www.eastrenfrewshire.gov.uk/ercpc>

**Appendix 3 – Children’s Charter**

**Figure 1:** Expectations from children who may be involved in child protection processes.



## **Appendix 4 – Useful links**

### **Supporting documents and resources**

[National Practice Model - Getting it right for every child \(GIRFEC\) - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2019/06/190606_npm_getting_it_right_for_every_child_girfec.pdf)

[Supporting documents - National Guidance for Child Protection in Scotland 2021 - updated 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2023/06/230606_national_guidance_for_child_protection_in_scotland_2021_updated_2023.pdf)

[Safeguarding: Domestic abuse information for educators | Resources | Education Scotland](#)

[Safeguarding - Child Sexual Exploitation \(CSE\) | Resources | Education Scotland](#)

[Safeguarding - Female genital mutilation \(FGM\) | Resources | Education Scotland](#)

[Prevent duty guidance | Resources | National Improvement Hub \(education.gov.scot\)](#)

[Prevent radicalisation and extremism | Resources | Education Scotland](#)

[Keeping children safe online | NSPCC](#)

[The Promise](#)

### **Legislation**

UNCRC

United Nations Convention on the rights of the Child (incorporation) (Scotland) Act 2024

Legislation defining certain offences against children

- [Children and Young Persons \(Scotland\) Act 1937, section 12](#)
- [Prohibition of Female Genital Mutilation \(Scotland\) Act 2005](#)
- [Female Genital Mutilation \(Protection and Guidance\) \(Scotland\) Act 2020](#)
- [Sexual Offences \(Scotland\) Act 2009](#)
- [The Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005](#)
- [Human Trafficking and Exploitation \(Scotland\) Act 2015](#)
- [Civic Government \(Scotland\) Act 1982](#)
- [Children \(Equal Protection from Assault\) \(Scotland\) Act 2019](#)

Legislation on managing adults who may pose a risk to children

- [Criminal Justice and Licensing \(Scotland\) Act 2010](#)
- [Domestic Abuse \(Scotland\) Act 2011](#)

- [Domestic Abuse \(Scotland\) Act 2018](#)
- [Protection from Abuse \(Scotland\) Act 2001](#)
- [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#)

Legislation on criminal proceedings and witness supports

- [Criminal Procedure \(Scotland\) Act 1995](#)
- [Victims and Witnesses \(Scotland\) Act 2014](#)
- [Age of Criminal Responsibility \(Scotland\) Act 2019 \(legislation.gov.uk\)](#)
- [Forensic Medical Services \(Victims of Sexual Offences\) \(Scotland\) Act 2021](#)

Additional legislation

- [Children \(Scotland\) Act 2020](#)
- [Children \(Scotland\) Act 1995](#)
- [Children's Hearings \(Scotland\) Act 2011](#)
- [Children and Young People \(Scotland\) Act 2014](#)
- [Disclosure \(Scotland\) Act 2020](#)
- [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003](#)
- [Anti-social Behaviour \(Scotland\) Act 2004](#)
- [Adult Support and Protection \(Scotland\) Act 2007](#)
- [Adoption and Children \(Scotland\) Act 2007](#)
- [Equality Act 2010](#)
- [The Forced Marriage etc. \(Protection and Jurisdiction\) \(Scotland\) Act 2011](#)
- [General Data Protection Regulation \(GDPR\)/Data Protection Act 2018](#)
- [Islands \(Scotland\) Act 2018 \(legislation.gov.uk\)](#)

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