



Horsington Church School

“That they may have life, Life in all its fullness.”
John 10:10



Appendix 3 to MAT Safeguarding Policy

Record Keeping and Record Retention Policy

1 Introduction

- 1.1 *Working Together to Safeguard Children (2015)* reminds us that safeguarding children is everyone’s responsibility. Well-kept records are an essential underpinning to good professional practice, enabling effective work across agency and professional boundaries.
- 1.2 This Guidance is produced with the clear expectation that it will be followed for children and young people up to the age of 18 years.
- 1.3 In this document a child is defined as anyone who has not yet reached their 18th birthday. ‘Children’, therefore, means children and young people throughout this document.
- 1.4 The system of record keeping described in this Guidance is to be followed by the educational establishment’s child protection and safeguarding lead, eg in the case of schools, the Designated Safeguarding Lead, to enable them to set up, maintain and demonstrate that their establishment has a record keeping system that supports effective safeguarding practice. The child protection and Designated Safeguarding Lead is referred to as the Safeguarding Lead throughout this document.
- 1.5 The Guidance has been written both to assist educational establishments to meet Ofsted inspection frameworks in safeguarding and to meet recommendations from recent serious case reviews undertaken nationally. These reviews have frequently identified that records of concerns and actions in educational establishments have either not been made or that record keeping systems have been fragmented, poorly coordinated and organised.
- 1.6 Good record keeping is an important part of the establishment’s accountability to children and their families and will assist Safeguarding Leads in meeting their key responsibility to respond appropriately to welfare concerns about

children. Records should be factual, accurate, relevant, up to date and auditable. They should support monitoring, risk assessment and planning for children and enable informed and timely decisions about appropriate action to take.

2 Establishing a standard recording process

- 2.1 All staff members, irrespective of their role in the educational establishment, should use the standard **child protection incident/welfare concern form and the aide memoire to assist in its completion** to make **contemporaneous records** of concerns.
- 2.2 It is essential that professionals visiting the establishment, eg educational psychologists or English as Additional Language professionals, etc, who may have their own systems for recording their ongoing work with children and families, also adopt the standard recording process.
- 2.3 The form and aide memoire should be easily accessible to all staff and, depending on the size and type of establishment, should be available in a range of places, e.g. in the staff room, school or main office and in the offices of the establishment's head teacher or principal, the Safeguarding Lead and pastoral care staff.
- 2.4 In addition to recording concerns using the child protection incident/welfare concern form, the establishment should maintain **a chronology of events** (see section 7).
- 2.5 All staff members should be aware that details of their concerns may be shared with the child, family members and other professionals, for example at child protection conferences. In exceptional cases, they may be submitted as evidence in court proceedings or at a serious case review. It is essential that recordings differentiate between fact, allegation, observation and opinion.
- 2.6 It is vital that the Safeguarding Lead notifies the staff member reporting a concern how they intend to respond to it. Staff members need to feel empowered to seek clarification if concerns have not been reported to statutory agencies.

3 Induction and training

- 3.1 Safeguarding children and promoting their welfare is a task for the whole organisation. All staff members must know when and how to record concerns.
- 3.2 As part of their induction, all new staff members must be given training on recognising child protection concerns and how to report and record concerns. Induction must include how to use the child protection incident/welfare concern form and the aide memoire.

- 3.3 All staff members in the establishment should be given refresher training to ensure that the system is put into practice robustly.
- 3.4 Establishments must ensure that all their staff members are aware of their legal responsibilities under the Data Protection Act 1998 for data processing, including accuracy, retention, disposal and subject access rights.

4 The Safeguarding Lead's role

- 4.1 Ensuring all staff members know when and how to record concerns about a child's welfare, however small or apparently insignificant, is an essential part of the Safeguarding Lead's role.
- 4.2 The Safeguarding Lead should ensure that staff members are given appropriate induction and refresher training and are supervised appropriately in carrying out these arrangements.
- 4.3 It is the Safeguarding Lead's responsibility to decide what action needs to be taken in response to reported incidents or welfare concerns.
- 4.4 It is also the Safeguarding Lead's role to start and maintain a stand-alone file for children with child protection or welfare concerns.

5 When and how to start a stand-alone child protection/welfare concerns file for a child

- 5.1 Once a child protection incident/welfare concern form has been passed to the Safeguarding Lead, they should start a separate child protection/welfare file for the child where the form is stored and any responses and outcomes will be recorded. **This file must be kept separate from the child's other records.**
- 5.2 A separate child protection/welfare concerns file must be created **regardless of whether formal child protection procedures have been initiated**. For some children, this single record will be the only concern held for them over their time in the establishment. For others, further information may well be accumulated, often from a variety of sources, over time.
- 5.3 An effective method for storing single or infrequent records of concerns is to file them in alphabetically divided files. It may be helpful for larger or busier establishments to use separate files for each year group. This system is particularly recommended for primary schools since this will assist at the end of the academic year with meeting the responsibility to transfer records when children leave the establishment.
- 5.4 **A stand-alone file for a child must be started when:**

- concerns for the child and, consequently, records of these and actions are increasing; or
 - the child's previous establishment has transferred the child protection file they maintained; or
 - the child has been referred to Children's Social Care; or
 - the establishment has been made aware of the involvement of Children's Social Care with the child or family; or
 - the child is part of an Early Help Assessment
 - the establishment is participating in multi-agency work to safeguard the child.
- 5.5 If concerns relate to more than one child from the same family at the establishment, a separate file for each child should be created and cross-referenced to the files of other family members. Common records, eg child protection conference notes, should be duplicated for each file.
- 5.6 When an individual file is started, it is helpful to use the recommended front sheet . Alternatively, a front sheet similar to this, eg from the electronic information management system, could be used, if available. The front sheet will need to be updated with any change of circumstances.
- 5.7 Establishments that no longer maintain paper records must ensure that they keep the electronic child protection/welfare concerns file separate from the child's general educational record.
- 5.8 It is also recommended that the child's general educational record is marked in some way to indicate the presence of this separate confidential file. A coloured sticker is one means of doing this for the paper record, or some form of flag for the electronic record.

6 What records should be included in a stand-alone child protection/welfare concerns file?

- 6.1 The following information must be kept in the stand-alone file, whether paper or electronic:
- File front sheet
 - Chronology
 - All completed child protection incident/welfare concern forms
 - Any child protection information received from the child's previous educational establishment
 - Records of discussions, telephone calls and meetings with colleagues and other agencies or services
 - Professional consultations
 - Letters sent and received
 - Referral forms (sent to Children's Social Care, other external agencies or education-based services)

- Minutes or notes of meetings, e.g. child protection conferences, core group meetings, etc., copied to the file of each child in the family, as appropriate
 - Formal plans for or linked to the child, e.g. child protection plans, Early Help assessments and plans
 - Any records of wishes and feelings work etc.
- 6.2 In cases where different types of information, as in 6.1 above, are held, it may be helpful to organise them on a modular basis for ease of reference, e.g. in sections entitled 'referrals', 'letters', 'multi-agency records', etc.

7 Chronology of events for an individual child

- 7.1 The importance of understanding concerns for a child in the context of history, timelines and other known information cannot be underestimated. Chronologies are central to this process.
- 7.2 A chronology must be maintained in the child's stand-alone file and updated on an ongoing basis as incidents or events occur. An exemplar based on Ofsted guidance is found in.
- 7.3 In addition to aiding assessment, a chronology will serve as an important record of the establishment's actions and, when attached to an inter-agency referral form, can provide evidence for the reason for a referral. It will also enable the establishment to provide evidence to Ofsted of what actions have been taken and what responses the establishment had to any referrals.
- 7.4 A chronology must list specific and significant incidents, events and actions taken in relation to the child and, where appropriate, their family, with a brief explanation or cross-referenced to the relevant record within the file.
- 7.5 **In addition to recording incidents and events, the chronology must record all significant and relevant contacts between the establishment and parents, whether it is face-to-face, by email or telephone, with a record of what was discussed and action taken in response.**
- 7.6 The chronology must be stored at the front of the child's safeguarding file, alongside the front sheet, where it can be quickly accessed and viewed.

8 Secure storage, retention and disposal of records

- 8.1 All establishments have a duty to protect personal information under the Data Protection Act 1998. The eight principles of the Act must be adhered to when processing information about children.
- 8.2 The child's child protection/welfare concerns file must be kept separate from all other records relating to the child in the establishment.

- 8.3 Child protection records on paper must be stored in a locked cabinet with access only to those with direct safeguarding responsibility for children in the establishment.
- 8.4 These records where possible should be in an immovable cabinet.
- 8.5 A senior person must be nominated to be responsible for holding the key to the locked cabinet in the absence of the Safeguarding Lead.
- 8.6 If the child protection/welfare concerns file is an electronic file, the establishment must ensure that access to this separate file are limited to only those with safeguarding responsibilities in the establishment.
- 8.7 It is essential to ensure that the establishment's leadership team knows the arrangements for access to records in the absence of the Safeguarding Lead.
.
- 8.8 **Child protection records must be retained by all educational establishments until the child's 25th birthday**, unless the records are transferred to a new establishment when the child leaves.
- 8.9 All child protection records retained by the establishment must be securely destroyed immediately after the retention period ends.

9 Transfer of child protection/welfare concerns records

- 9.1 **When children transfer from primary or secondary schools or college and records of child protection/welfare concerns exist, these should be sent to the receiving establishment as soon as possible. This transfer should be arranged separately from the main educational file** in line with Department of Education guidance.
- 9.2 **When a child transfers to primary school, their child protection/welfare concerns records should be transferred to the school as soon as possible.**
- 9.3 Records of child protection/welfare concerns must be passed directly to the Safeguarding Lead or another authorised person in the receiving establishment under confidential cover.
- 9.4 If the child is the subject of a child protection plan at the time of transfer, the Safeguarding Lead must speak to their counterpart at the receiving establishment before arranging for the records to be transferred.

- 9.5 Paper or electronic records containing child protection information must be transferred in the most secure method available to the establishment. If posting paper records, it should be by signed-for delivery to a named individual. Electronic records must only be transferred by a secure electronic transfer mechanism or after the information has been encrypted.
- 9.6 If a child subject of a child protection plan leaves the establishment and the child's new placement is not known, the child's key worker from Children's Social Care must be contacted to discuss how records should be transferred.
- 9.7 **Where records of child protection/welfare concerns have been kept, and details of the receiving primary or secondary school is not known, schools should notify the Local Authority**
- 9.8 Educational establishments should be aware that some information they hold in child protection records, such as Early Help Assessments should only be transferred with the consent of the child or their parents.

10 Information sharing

- 10.1 When there is a concern that a child is at risk of significant harm, all information held by the establishment must be shared with Children's Social Care, police and health professionals. Section 47 of the Children Act 1989 and sections 10 and 11 of the Children Act 2004 empower all agencies to share information in these circumstances.
- 10.2 On occasions when safeguarding concerns exist for a child in the context of a family situation and siblings attend other educational establishments or the children are known to other agencies, it may be appropriate for the Safeguarding Lead to consult with, on a confidential basis, their counterpart from other establishments or other agencies to share and jointly consider concerns.
- 10.3 It is good practice to seek consent from the child or their parent before sharing information. Children over the age of 12 years are considered to have the capacity to give or withhold consent to share their information, unless there is evidence to the contrary; therefore it is good practice to seek their views. If the young person is over 16, they should be involved in decision-making about information sharing, unless they do not have the capacity to give consent.
- 10.4 **However, consent should not be sought, or the child or family informed that their information will be shared, if doing so would:**
- **place a person (the child, family or another person) at risk of significant harm, if a child, or serious harm, if an adult; or**
 - **prejudice the prevention, detection or prosecution of a crime; or**
 - **lead to unjustified delay in making enquiries about allegations of significant harm to a child or serious harm to an adult.**

- 10.5 Consent should not be sought if the establishment is required to share information through a statutory duty, eg section 47 of the Children Act 1989 as discussed above, or court order.**
- 10.6 Information from records may be shared at child protection conferences and for serious case reviews.
- 10.7 Staff members' access to information on the child protection file should be on a need-to-know basis and decided case by case. Generally, the closer the staff member's day-to-day contact with the child is, the more likely that they would need to know an outline of the child's case. The child's and family members' confidentiality should be respected as far as possible, but **the child's welfare is paramount.**
- 10.8 Cases of alleged abuse that result in court proceedings may require the establishment to disclose their records, either through the police or Children's Social Care.
- 10.9 In all court cases, a requesting solicitor or other third party should be advised that a witness summons or subpoena should be obtained. In these situations, it is strongly suggested that legal advice is sought.
- 10.10 The establishment should share only the information necessary for the purpose and understand the limits of any consent given, especially if the information has been provided by a third party.
- 10.11 Records, suitably anonymised, may also be requested for use in disciplinary proceedings and may be used in the event that a staff member is referred to the DBS
- 10.12 Under no circumstances should the establishment's governors or trustees be given details of individual cases. Governors or trustees may, however, be provided with a report outlining the number of cases dealt with and other statistics which do not identify individual children.

11 Children's and parents' access to child protection files

- 11.1 Under the Data Protection Act 1998, any child who has a child protection file has a right to access it. The Education (Pupil Information) (England) Regulations 2005 give parents the right see their child's school records. However, neither the child nor the parent has an automatic right to see all the information held in child protection records. Information can be withheld if disclosure:
- could cause serious harm or is likely to cause serious harm to the physical or mental health or condition of the child or another person; or
 - could reveal that the child or another person has been a subject of or may be at risk of child abuse, and the disclosure is not in the best interests of the child; or
 - is likely to prejudice an ongoing criminal investigation; or

- the information about the child also relates to another person who could be identified from it or the information has been given by another person who could be identified as the source, unless the person has consented to the disclosure or the person providing the information is an employee of the establishment or the Local Authority.
- 11.2 It is best practice to make reports available to the child or their parents unless the exceptions described above apply. If an application is made to see the whole record, advice should be sought from the child's social worker, if they have one, and the Information Governance Officer.
- 11.3 The establishment's report to the child protection conference should be shared with the child, if old enough and parents at least 72 hours before the conference.
- 11.4 When disclosing information, all third-party information must be removed, or consent sought for its disclosure from the person concerned. For example, all identifying information about other children or members of the public who have shared information about the child must be removed before disclosing information.