

*St. Joseph's Catholic School & Sixth Form Centre*  
Ysgol Gatholig San Joseff

## Child Protection Policy



Child Protection Policy agreed by Governors:

A handwritten signature in black ink, appearing to read 'P. Bellinger', is written over a light grey rectangular background.

Signed by Chair

Date: 1<sup>st</sup> October 2019

## INTRODUCTION

St Joseph's Comprehensive School fully recognises the contribution it makes to child protection. There are three main elements to this policy:

- Prevention through the teaching and pastoral support offered to pupils;
- Procedures for identifying and reporting cases, or suspected cases, of abuse. Because of our day to day contact with children school staff are well placed to observe the outwards signs of abuse;
- Support to pupils who may have been abused.

The policy applies to all staff, governors and volunteers working in the school. The school will review the policy annually and is committed to following any new guidance received from Welsh Government.

## CONFIDENTIALITY

Confidentiality issues need to be understood if a child divulges information they are being abused. A child may only feel confident to confide in a member of staff if they feel that the information will not be divulged to anyone else. However, education staff have a professional responsibility to share relevant information about the protection of children with the designated statutory agencies when a child is experiencing child welfare concerns.

It is important that each member of staff deals with this sensitively and explains to the child that they must inform the appropriate people who can help the child, but that they will only tell those who need to know in order to be able to help. They should reassure the child and tell them that their situation will not become common knowledge within the school. Be aware that it may well have taken significant courage on their part to disclose the information and that they may also be experiencing conflicting emotions, involving feelings of guilt, embarrassment, disloyalty (if the abuser is someone close) and hurt.

Please remember the pastoral responsibility of the education service. Ensure that only those with a professional involvement, e.g. the Designated Senior Person(s) and the Headteacher, have access to the child protection records. At all other times they should be kept securely locked and separate from the child's main file.

**The Designated Senior Person for Child Protection in this school is Mrs. Debbie Evans. The Deputy Designated Senior Persons are Mr. James Torrance, Mr Richard Pyke and Mrs Victoria Johnston.**

## PREVENTION

We recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult helps to safeguard pupils.

The school will therefore:

- Establish and maintain an ethos where children feel secure and are encouraged to talk, and are listened to;
- Ensure children know that there are adults in the school whom they can approach if they are worried or in difficulty;
- Include in the curriculum, activities and opportunities for Personal Social Education (PSE) which equip children with the skills they need to stay safe from abuse and to know to who to turn for help;
- Include in the curriculum, material which will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills.

## PROCEDURES

**These should be followed in the event of a child protection disclosure/concern.**

We will follow the All Wales Child Protection procedures that have been endorsed by the Local Safeguarding Children Board. The school will:

- Ensure it has a Designated Senior Person for child protection who has undertaken the appropriate training. This person is Mrs Debbie Evans.
- Recognise the role of the Designated Senior Person and arrange support and training.  
[http://gov.wales/docs/dcells/publications/150114-keeping-learners- safe.pdf](http://gov.wales/docs/dcells/publications/150114-keeping-learners-safe.pdf)
- Ensure every member of staff and every governor knows:
  1. The name of the Designated Senior Person and their role and the designated governor for child protection.
  2. That they have an individual responsibility for referring child protection concerns using the proper channels and within the timescales agreed with the Local Safeguarding Children Board.
  3. How to take forward those concerns where the Designated Senior Person is unavailable.

- Ensure that members of staff are aware of the need to be alert to signs of abuse and know how to respond to a pupil who may disclose abuse.
- Ensure that parents have an understanding of the responsibility placed on the school and staff for child protection by setting out its obligations in the school prospectus and/or website.
- Ensure all staff undertake agreed child protection training relevant to their role.
- Provide a child protection briefing on induction and on a regular basis thereafter for all staff so that they know:
  - Their personal responsibility;
  - The agreed local procedures;
  - The need to be vigilant in identifying cases of abuse;
  - How to support a child who discloses abuse;
  - Any new child protection issues or changes in procedures.
- Notify local services if:
  - A pupil on the child protection register is excluded either for a fixed term or permanently;
  - If there is an unexplained absence of a pupil on the child protection register of more than two days duration from school (or one day following a weekend).
- Work to develop effective links with relevant agencies and co-operate as required with their enquiries regarding child protection matters; including attendance where deemed appropriate at strategy meetings, initial/review child protection conferences and core group together with the submission of written reports to the conferences.
- Keep written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to social services immediately.
- Ensure all records are kept secure and in locked locations
- Adhere to the procedures set out in the Welsh Government circular  
<http://learning.gov.wales/docs/learningwales/publications/140410-safeguarding-children-in-education-en.pdf>
- Ensure that recruitment and selection procedures are made in accordance with Welsh Government guidance 'Keeping Learners Safe'  
<http://gov.wales/docs/dcells/publications/150114-keeping-learners-safe.pdf>
- Designate a governor for child protection who will oversee the child protection policy and practice.

## MAKING A CHILD PROTECTION REFERRAL

All child protection referrals must be made via telephone in the first instance on 01639 686803. The telephone referral will be followed up within 2 working days on a single point of contact (SPOC) referral form. This is to be submitted via email to the Single Point of Contact at [spoc@npt.gov.uk](mailto:spoc@npt.gov.uk)

For concerns outside of office hours e.g. parents evening, trips away etc. the referral will be made by telephone to the Emergency Duty Team (EDT) on 01639 895455. The written SPOC form will still need to be submitted to duty intake within 2 working days. Should a social worker not be available on this number, you can pass your child protection concern directly to the police on 999. A child protection referral **must not** be left until the next working day.

## DEFINITIONS OF CHILD ABUSE, PROTECTING CHILDREN IN SPECIFIC CIRCUMSTANCES

The definitions of abuse are found in the All Wales Child Protection Procedures but can also be found for easy reference in Appendix A, Definitions and Indicators of Child Abuse.

The school acknowledges that some children can be more vulnerable to abuse and we have specific child protection duties and responsibilities in relation to these. The specific circumstances are outlined in more details in Chapter 4 of the Welsh Government 'Keeping Learners Safe' guidance.

<http://gov.wales/docs/dcells/publications/150114-keeping-learners-safe.pdf>

## DEALING WITH A DISCLOSURE MADE BY A CHILD

### Receive

- Listen carefully to what is being said, without displaying shock or disbelief.
- Accept what is said. The child making the disclosure may be known to you as someone who does not always tell the truth. However, do not let your past knowledge of this person allow you to pre-judge or invalidate their allegation.
- Do not attempt to investigate the allegation. Your duty will be to listen to what is being said and to pass that information on.

### REASSURE

Provide the child with plenty of re-assurance. Always be honest and do not make promises you cannot keep, for example: "I'll stay with you", or, "Everything will be all right now".

- Alleviate guilt, if the pupil refers to it. For example, you could say: “You’re not to blame. This is not your fault”.
- Do not promise confidentiality. You will be under a duty to pass the information on and the child needs to know this.

## REACT

- You can ask questions and may need to in certain instances. However this is not an opportunity to interrogate the child and go into the territory of in depth and prolonged questioning. You only need to know the salient points of the allegation that the child is making. Any questions must be open and not leading.
- Do not criticise the perpetrator as the pupil may still have a positive emotional attachment to this person.
- Do not ask the pupil to repeat their allegation to another member of staff. If they are asked to repeat it they may feel that they are not being believed and/or their recollection of what happened may change.

## RECORD

- Take notes as soon as it is practical to do so, There is a pro-forma on Frog for this purpose. Record the actual words spoken by the child – do not re-translate them into the way that adults speak or try to make sense of the structure of what was said. Do not be offended by any offensive language or words used to describe the abuse.
- Time and date your notes and do not destroy them in case they are required by a court.
- If you are able to do so then draw a diagram to indicate the position of any bruising but do not ask the child to remove any clothing for this purpose.
- Record statements and observable things, rather than your interpretations or assumptions.

## FINAL STEPS

- Once you have followed the above guidelines, pass the information on immediately to the Designated Senior Person or the person with responsibility for Child Protection. They will then

have a number of options open to them, including contacting the local Social Services team to seek their advice as to what should happen next.

## MANAGING ALLEGATIONS AGAINST ADULTS WHO WORK WITH CHILDREN

In the event of a child protection allegation being made against a member of staff, the person in receipt of that allegation must immediately pass details of the concern to the Headteacher or in their absence a member of staff with Headteacher responsibilities. The Headteacher will then contact the Local Authority Lead for Safeguarding on 01639 763363/07855 079790 to discuss the next steps in accordance with local arrangements.

If a potential child protection allegation is made against the Headteacher the member of staff in receipt of that allegation must contact the Local Authority Lead for Safeguarding on the contact numbers above or the Chair of Governors. The Chair of Governors will then contact Local Authority Lead for Safeguarding to discuss the next steps in accordance with local arrangements.

In addition, the Social Services Single Point of Contact on 01639 686803 will be able to advise when these situations arise.

## ABUSE OF POSITIONS OF TRUST

Welsh Assembly Government Guidance indicates that all Education staff need to know that inappropriate behaviour with, or towards, children is unacceptable. In particular, under the Sexual Offences Act, 2003, it is an offence for a person over 18 (for example teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if he/she does not teach the child. (See Appendix A - Abuse of Trust).

## SUPPORTING THE CHILD AT RISK

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved. We recognise that children who are at risk, suffer abuse or witness violence may be deeply affected by this. This school may be the only stable, secure and predictable element in the lives of children at risk. Nevertheless, when at school their behaviour may be challenging and defiant or they may be withdrawn. The school will endeavour to support the pupil through:

- Taking all suspicions and disclosures seriously;
- Responding sympathetically to any request from pupils or staff for time out to deal with distress or anxiety;
- Maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- Keeping records and notifying Social Services as soon as there is a recurrence of a concern;
- Storing records securely;
- Offering details of helplines, counselling or other avenues of external support;
- Cooperating fully with relevant statutory agencies.

The content of the curriculum encourages self-esteem and self-motivation as outlined in Chapter 2 of the Welsh Government 'Keeping Learners Safe' guidance.

- Promote a positive, supportive and secure environment;
- Give pupils a sense of being valued.

The school will support positive behaviour strategies aimed at supporting vulnerable pupils in the school; we recognise that some children actually adopt abusive behaviours and that these children must be referred on for appropriate support and intervention.

The school will endeavour to ensure that the pupil knows that some behaviour is unacceptable but he/she is valued and not to be blamed for any abuse which has occurred;

- All staff will agree on a consistent approach which focuses on the behaviour of the offence committed by the child but does not damage the pupil's sense of self-worth.
- Liaison with other agencies who support the student such as Social Services, Child and Adolescent Mental Health Services, the Educational Psychology Service, Behaviour Support Services, the Education Welfare Services and advocacy services.

When a pupil on the Child Protection Register leaves the school, the Designated Senior Person for Child Protection will make immediate contact with the Designated Senior Person for Child Protection in the new school in order to inform them that the child is on the Child Protection register. They will seek urgent agreement, where appropriate, from the Child Protection Conference Chair for the transfer of minutes of Child Protection Conference meetings and Core Groups, together with other relevant Child Protection information, to the new school.



## USE OF PHYSICAL INTERVENTION

Our policy on physical intervention is consistent with the Welsh Government guidance on safe and effective intervention - use of reasonable force and searching for weapons 097/2013

<http://gov.wales/docs/dcells/publications/130315safe-effective-en.pdf>

## REVIEW

This policy and Appendix A will be reviewed and adopted annually at a full governing body meeting and recorded in the minutes. In preparation for this review, the Designated Senior Person for Child Protection may provide the Governing Body with information on the following:

- Changes to Child Protection procedures;
- Training undertaken by all staff and governors in the preceding 12 months;
- The number of incidents of a Child Protection nature which arose in the school within the preceding 12 months (without details or names);
- Where and how Child Protection and Safeguarding appear in the curriculum;
- Lessons learned from cases.

## APPENDIX A

### RESPONSIBILITIES OF THE DESIGNATED SENIOR PERSON (DSP) FOR CHILD PROTECTION

1.00 Each school should identify a Designated Senior Person (DSP) with lead responsibility for managing child protection issues and cases. The DSP should know how to recognise and identify the signs of abuse and neglect and know when it is appropriate to make a referral to the relevant investigating agencies. The role involves providing advice and support to other staff, making referrals to and working with other agencies as necessary. The DSP role is not to investigate allegations, but they must keep the Headteacher informed of all child protection issues in the establishment.

1.01 The DSP need not be a teacher, but must be a senior member of the school's leadership team with the status and authority within the organisation to carry out the duties of the post, including committing resources to child protection matters, and where appropriate directing other staff. Dealing with individual cases may be a responsibility of the education welfare officer or other supports, but it is important that a senior member of staff takes responsibility for this area of work.

1.02 In many schools a single Designated Senior Person will be sufficient, but a deputy should be available to act in their absence. In establishments which are organised on different sites or with separate management structures, there should be a Designated Senior Person for each part or site. In large organisations, or those with a large number of child protection concerns, it may be necessary to have a number of deputies to deal with the responsibilities.

1.03 The establishment must also make arrangements to cover the role of the DSP when that person is unavailable. In many cases, there will be a deputy DSP in place and larger schools may have a team of staff working together.

1.04 The DSP does not have to be an expert in the area of child protection but will take responsibility for the establishment's child protection practice, policy, procedures and professional development working with other agencies as necessary. The Headteacher should ensure that the DSP:

- Is given sufficient time and resources to carry out the role effectively, which should be explicitly defined in the post holder's job description;
- Has access to required levels of training and support to undertake the role;
- Has time to attend and provide reports and advice to case conferences and other interagency meetings as required.

## REFERRALS

1.05 The DSP should act as a point of contact and a source of support, advice and expertise within the educational establishment when deciding whether to make a referral by liaising with relevant agencies.

1.06 The DSP is responsible for making referrals about allegations of suspected abuse to the relevant investigating agencies. Where these relate to cases of suspected abuse or allegations of abuse against staff, the process is set out in Disciplinary and Dismissal Procedures for School Staff (00212013) and Safeguarding children in education: handling allegations of abuse against teachers and other staff (009/2014), published in April 2014.

## RECORD KEEPING

1.07 It is the responsibility of the DSP to keep detailed, accurate and secure written records of children where there are safeguarding concerns. These records are confidential and should be kept separately from pupil records. They should include a chronology of concerns, referrals, meetings, phone calls and emails.

1.08 Where children leave the establishment, the DSP should ensure their child protection file is copied to the new establishment as soon as possible but transferred separately from the main pupil file.

## RAISING AWARENESS

1.09 The DSP is responsible for ensuring that parents or carers see a copy of the child protection policy. This avoids potential for later conflict by alerting them to the role of the establishment and the fact that referrals may be made. Many schools include information about this at induction meetings for new parents, in their prospectus and on their website.

1.10 It is good practice for the DSP to provide an annual briefing and regular updates at staff meetings on any new child protection issues or changes in local procedures. This ensures that all staff are kept up-to-date and are regularly reminded of their responsibilities, and the school's policies and procedures. Many schools find it helpful to discuss safeguarding regularly at staff meetings so that awareness remains high.

1.11 The DSP should liaise with the Designated Governor for child protection, so that the Designated Governor can report on safeguarding issues to the governing body. Reports to the governing body should not be about specific child protection cases, but should review the safeguarding policies and procedures. It is good practice for the nominated governor and the DSP to present the report together.

1.12 The DSP should ensure the establishment's child protection policy is updated and reviewed annually and work with the governing body or proprietor regarding this.

## Policy review

1.13 As well as the school policy for child protection, there are other policies which have relevance to safeguarding and the DSP may be involved in monitoring the effectiveness of these other policies to ensure the school safeguards its pupils. Other relevant policies include:

- Attendance;
- Behaviour staff code of conduct;
- Anti-bullying;
- Intimate care;
- Recruitment and selection;
- E-safety
- Physical intervention;
- Confidentiality.

1.14 Further support and guidance on the role of the DSP may be obtained from the local authority. The NSPCC also provides helpful resources and guidance.

## CHILD PROTECTION AND MULTI-AGENCY TRAINING

1.15 It is the role of the DSP, working with the Headteacher, to ensure all staff and volunteers:

- Have access to and understand the school's child protection policy especially new or part-time staff who may work with different educational establishments;
- Have induction and refresher training covering child protection, an understanding of safeguarding issues including the causes of abuse and neglect;
- Are able to recognise the signs and indicators of abuse;
- Know how to respond effectively when they have concerns;
- Know how to respond to a disclosure appropriately;
- Know that they have a responsibility to report any concerns immediately as they arise.

1.16 Records should be kept by the DSP of the dates of the training, details of the provider and a

record of staff attendance at the training.

1.17 In addition to the requirement for the Chair of Governors and the Designated Governor to undertake child protection training, all governors should be given access to safeguarding and child protection training (not just the Designated Governor for child protection) to ensure a basic and consistent level of awareness. Governing bodies are responsible for ensuring the school's policies and procedures for child protection meet statutory requirements and all governors should know what to do if they have concerns about a child.

1.18 Teachers should receive training in child protection as part of the course of training leading to Qualified Teaching Status (QTS), but this will need to be reinforced by further training, or refresher training, when they are first appointed. The QTS Standards are a set of outcome statements that trainee teachers have to meet which are linked to other publications and statutory requirements as appropriate. Trainees must be able to evidence that they establish a purposeful learning environment for all children where learners feel secure and confident.

1.19 Trainees are also required to demonstrate professionalism to ensure that relationships with learners are built on mutual trust and respect, and to recognise that this will help maximise their learning potential. Trainees are expected to evidence this standard by being able to demonstrate knowledge and awareness of the rights and entitlements of all learners, as laid out in the United Nations Convention on the Rights of the Child (UNCRC) and key Welsh Government policies.

1.20 Other staff and governors should receive training when they are first appointed. All staff who do not have designated responsibility for child protection, including teachers, should undertake suitable refresher training at regular and appropriate intervals thereafter, to keep their knowledge and skills up-to-date.

1.21 Individual agencies are responsible for ensuring that staff have the competence and confidence to carry out their responsibilities for safeguarding and promoting children's welfare. The LSCB will be able to provide advice on the minimum levels of training required by staff to ensure they are able to comply with locally agreed procedures.

1.22 Further information on inter-agency training and development is set out in chapter 11 of *Safeguarding Children: Working Together Under the Children Act 2004*.

1.23 The purpose of multi-agency training is to achieve better outcomes for children and young people including:

- A shared understanding of the tasks, processes, principles and roles and responsibilities outlined in national guidance and local arrangements for safeguarding children and promoting their welfare;
- More effective and integrated services at both the strategic and individual case level;

- Improved communications between professionals including a common understanding of key terms, definitions, and thresholds for action;
- Effective working relationships, including an ability to work in multidisciplinary groups or teams;
- Sound decision-making based on information sharing, thorough assessment, critical analysis, and professional judgement.

1.24 The DSP should receive prompt training in inter-agency procedures that enables them to work in partnership with other agencies and gives them the knowledge and skills needed to fulfil their responsibilities. They should also undertake refresher training to keep their knowledge and skills up-to-date.

1.25 Other staff should receive training when they are first appointed and undertake suitable refresher training to keep their knowledge and skills up to date.

1.26 The revised *Becoming a Qualified Teacher: Handbook of Guidance* was published by the Welsh Government in January 2014. This reflected recent changes to the initial teacher training (ITT) entry requirements in Section 2 of the document - *Requirements for the Provision of ITT Courses*. This section provides information for ITT providers on the latest guidance on safeguarding children in education.

## RESPONSIBILITIES OF GOVERNING BODIES/ PROPRIETORS

2.00 Governing bodies are accountable for ensuring effective policies and procedures are in place to safeguard and promote the welfare of children in accordance with this guidance, and monitoring its compliance with them.

2.01 Governing bodies of maintained schools and proprietors of independent schools should ensure that their respective organisations:

- Have effective child protection policies and procedures in place that are:
  - In accordance with local authority guidance and locally agreed interagency procedures;
  - Inclusive of services that extend beyond the school day (e.g. boarding accommodation, community activities on school premises, etc.);
  - Reviewed at least annually;
  - Made available to parents or carers on request;
  - Provided in a format appropriate to the understanding of children, particularly where schools cater for children with additional needs.

- Operate safe recruitment procedures that take account of the need to safeguard children and young people, including arrangements to ensure that all appropriate checks are carried out on new staff and unsupervised volunteers who will work with children, including relevant DBS checks.
- Ensure that the head teacher and all other permanent staff and volunteers who work with children undertake appropriate training to equip them with the knowledge and skills that are necessary to carry out their responsibilities for child protection effectively, which is kept up-to-date by refresher training.
- Give clear guidance to temporary staff and volunteers providing cover during short-term absences and who will be working with children and young people on the organisation's arrangements for child protection and their responsibilities.
- Ensure that the governing body remedies without delay any deficiencies or weaknesses in regard to child protection arrangements that are brought to its attention.
- Ensure that the designated senior person (DSP) for child protection, the designated governor and the chair of governors undertakes training in inter-agency working that is provided by, or to standards agreed by, the LSCB and refresher training to keep their knowledge and skills up to date, in addition to basic child protection training.

## DESIGNATED GOVERNOR

2.02 Identify a Designated Governor for child protection to:

- Take responsibility for child protection matters;
- Ensure the governing body reviews the school's policies and procedures annually;
- Be the designated governor to maintain contact with the statutory authorities in relation to child protection staff disciplinary cases as set out in Welsh Government guidance Disciplinary and Dismissal Procedures for School Staff (002/2013);
- Ensure that the governing body/proprietor undertakes an annual review of safeguarding policies and procedures and how the above duties have been discharged.

2.03 While governing bodies have a role in exercising their disciplinary functions in respect of child protection allegations against a member of staff, they do not have a role in the consideration of individual cases which will be investigated under arrangements set out in Safeguarding children in education: handling allegations of professional abuse against teachers and other staff (Welsh Government circular 009/2014 published in April 2014).

2.04 Whether the governing body acts collectively or an individual member takes the lead, for the

governing body to have an effective policy in place and for the Designated Governor to have confidence in their role, it is helpful if all members of governing bodies undertake relevant child protection training. This ensures they have the knowledge and information needed to perform their functions and understand their wider safeguarding responsibilities. Other useful information on the role of governors in child protection can also be found on the Governors Wales website.

## DEFINITIONS AND INDICATORS OF CHILD ABUSE

What is child abuse?

Abuse and neglect are forms of maltreatments of a child. A child is abused and neglected when someone inflicts significant harm, or fails to act to prevent harm. Children may be abused in a family, or in an institutional or community setting, by those known to them, or more rarely, by a stranger. A child is anyone who has not yet reached their 18th birthday. "Children", therefore, means "children and young people" throughout. The fact that a child has become 16 years of age and may be living independently does not change their status or their entitlement to services or protection under the Children Act, 1989.

Significant harm is defined in legislation as serious ill treatment or the impairment of health and development of a child, compared with that which could be reasonably expected of a similar child.

Everybody should:

- Be alert to potential indicators of abuse or neglect;
- Be alert to the risks that abusers may pose to children;
- Share their concerns so that information can be gathered to assist in the assessment of the child's needs and circumstances;
- Work with agencies to contribute to actions that are needed to safeguard and promote the child's welfare;
- Continue to support the child and their family.

Classifications of Abuse;

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect



## PHYSICAL ABUSE

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as fabricated or induced illness.

### **Indicators of Physical Abuse:**

- Unexplained bruising, marks or injuries on any part of the body
- Multiple bruises – in clusters, often on the upper arm, outside of the thigh
- Cigarette burns
- Human bite marks
- Broken bones
- Scalds, with upward splash marks
- Multiple burns with a clearly demarcated edge

### **Changes in behaviour that can also indicate physical abuse:**

- Fear of parents being approached for an explanation
- Aggressive behaviour or severe temper outbursts
- Flinching when approached or touched
- Reluctance to get changed, for example in hot weather
- Depression
- Withdrawn behaviour
- Running away from home.

## SEXUAL ABUSE

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

### **Indicators of Sexual Abuse:**

- Pain or itching in the genital area
- Bruising or bleeding near genital area
- Sexually transmitted disease
- Vaginal discharge or infection
- Stomach pains
- Discomfort when walking or sitting down
- Pregnancy

### **Changes in behaviour which can also indicate sexual abuse include:**

- Sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
- Fear of being left with a specific person or group of people
- Having nightmares
- Running away from home
- Sexual knowledge which is beyond their age, or development level
- Sexual drawings or language
- Eating problems such as overeating or anorexia
- Self-harm or mutilation, sometimes leading to suicide attempts
- Saying they have secrets they cannot tell anyone about
- Not allowed to have friends (particularly in adolescence)
- Acting in a sexually explicit way towards adults

## EMOTIONAL ABUSE

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of a child.

### **Indicators of Emotional Abuse:**

- Neurotic behaviour e.g. sulking, hair twisting, rocking
- Being unable to play
- Fear of making mistakes
- Sudden speech disorders
- Self-harm
- Fear of parent being approached regarding their behaviour
- Developmental delay in terms of emotional progress

### **Changes in behaviour which can also indicate neglect may include:**

- Extremes of passivity or aggression
- Overreaction to mistakes
- Self-depreciation ('I'm stupid, ugly, worthless, etc')
- Inappropriate response to pain ('I deserve this')

## NEGLECT

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food, clothing and shelter (including exclusion from home or abandonment); failing to protect a child from physical and emotional harm or danger; not ensuring adequate supervision (including the use of inadequate care-givers); or failing to provide access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### **Indicators of Neglect:**

- Constant hunger, sometimes stealing food from other children
- Constantly dirty or 'smelly'
- Loss of weight, or being constantly underweight
- Inappropriate clothing for the conditions

### **Changes in behaviour which can also indicate neglect may include**

- Complaining of being tired all the time
- Not requesting medical assistance and/or failing to attend appointments
- Having few friends
- Mentioning being left alone or unsupervised

## ABUSE OF TRUST

Welsh Assembly Government Guidance indicates that all Education staff need to know that inappropriate behaviour with, or towards, children is unacceptable. In particular, under the Sexual Offences Act, 2003, it is an offence for a person over 18 (for example teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if he/she does not teach the child.

In the Education Service, all relationships between staff and pupils are founded on trust. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of trust or influence over the other, by virtue of their work or the nature of their activity. The individual in the position of trust may have the power to confer advancement or failure. The relationship may be distorted by fear or favour. It is vital for all those in such positions of trust to understand the power it gives them over those they care for and the responsibility they must exercise as a consequence. While such a relationship of trust exists, allowing a relationship to develop in a way that might lead to a sexual relationship is wrong. A sexual relationship itself will be intrinsically unequal in a relationship of trust, and is therefore unacceptable. It is also inappropriate since the 'professional' relationship of trust would be altered.

The Sexual Offences (Amendment) Act, 2000, set out a series of occupations to which the Abuse of Position of Trust laws apply. This includes anyone working in an educational institution.

The primary purpose of the Abuse of Trust provisions is to provide protection for young people aged 16 and 17, who are considered particularly vulnerable to exploitation by those who hold a position of trust or authority in their lives.

Subject to a number of limited definitions, it is a criminal offence for a person, in a position of trust, to engage in any sexual activity with a person aged under 18 with whom they have a relationship of trust, irrespective of the age of consent even if the basis of their relationship is consensual.

A relationship exists where a member of staff or volunteer is in a position of power or influence over young people aged 16 or 17 by virtue of the work or nature of the activity being undertaken.

The principles apply irrespective of sexual orientation: neither homosexual nor heterosexual relationships are acceptable within a position of trust. They apply equally to all, without regard to gender, race, religion, sexual orientation or disability. This is an area where it is very important to avoid any sexual or other stereotyping. In addition, it is important to recognise that women as well as men may abuse a position of trust.

All staff should ensure that their relationships with young people are appropriate to their age and gender, and take care that their language and conduct does not give rise to comment or speculation.

Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.

# A SUMMARY OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD

**ARTICLE 1 (definition of the child)**  
Everyone under the age of 18 has all the rights in the Convention.

**ARTICLE 2 (non-discrimination)**  
The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

**ARTICLE 3 (best interests of the child)**  
The best interests of the child must be a top priority in all decisions and actions that affect children.

**ARTICLE 4 (implementation of the Convention)**  
Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.

**ARTICLE 5 (parental guidance and a child's evolving capacities)**  
Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.

**ARTICLE 6 (life, survival and development)**  
Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

**ARTICLE 7 (birth registration, name, nationality, care)**  
Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.

**ARTICLE 8 (protection and preservation of identity)**  
Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully.

**ARTICLE 9 (separation from parents)**  
Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.

**ARTICLE 10 (family reunification)**  
Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.

**ARTICLE 11 (abduction and non-return of children)**  
Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.

**ARTICLE 12 (respect for the views of the child)**  
Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.

**ARTICLE 13 (freedom of expression)**  
Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.

**ARTICLE 14 (freedom of thought, belief and religion)**  
Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.

**ARTICLE 15 (freedom of association)**  
Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

**ARTICLE 16 (right to privacy)**  
Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation.

**ARTICLE 17 (access to information from the media)**  
Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.

**ARTICLE 18 (parental responsibilities and state assistance)**  
Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.

**ARTICLE 19 (protection from violence, abuse and neglect)**  
Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

**ARTICLE 20 (children unable to live with their family)**  
If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion.

**ARTICLE 21 (adoption)**  
Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children's best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.

**ARTICLE 22 (refugee children)**  
If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.

**ARTICLE 23 (children with a disability)**  
A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

**ARTICLE 24 (health and health services)**  
Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this.

**ARTICLE 25 (review of treatment in care)**  
If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

**ARTICLE 26 (social security)**  
Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance.

**ARTICLE 27 (adequate standard of living)**  
Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

**ARTICLE 28 (right to education)**  
Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.

**ARTICLE 29 (goals of education)**  
Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.

**ARTICLE 30 (children from minority or indigenous groups)**  
Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.

**ARTICLE 31 (leisure, play and culture)**  
Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.

**ARTICLE 32 (child labour)**  
Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.

**ARTICLE 33 (drug abuse)**  
Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.

**ARTICLE 34 (sexual exploitation)**  
Governments must protect children from all forms of sexual abuse and exploitation.

**ARTICLE 35 (abduction, sale and trafficking)**  
Governments must protect children from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation.

**ARTICLE 36 (other forms of exploitation)**  
Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.

**ARTICLE 37 (inhumane treatment and detention)**  
Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.

**ARTICLE 38 (war and armed conflicts)**  
Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.

**ARTICLE 39 (recovery from trauma and reintegration)**  
Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.

**ARTICLE 40 (juvenile justice)**  
A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.

**ARTICLE 41 (respect for higher national standards)**  
If a country has laws and standards that go further than the present Convention, then the country must keep these laws.

**ARTICLE 42 (knowledge of rights)**  
Governments must actively work to make sure children and adults know about the Convention.

The Convention has 54 articles in total. Articles 43–54 are about how adults and governments must work together to make sure all children can enjoy all their rights, including:

**ARTICLE 45**  
Unicef can provide expert advice and assistance on children's rights.

## OPTIONAL PROTOCOLS

There are three agreements, called Optional Protocols, that strengthen the Convention and add further unique rights for children. They are optional because governments that ratify the Convention can decide whether or not to sign up to these Optional Protocols. They are: the Optional Protocol on the sale of children, child prostitution and child pornography, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on a complaints mechanism for children (called Communications Procedure).

For more information go to [unicef.org.uk/crc/op](https://www.unicef.org.uk/crc/op)