TIBSHELF COMMUNITY SCHOOL

CHILD PROTECTION RECORD KEEPING

Ratified: Oct 26

(DCC Policy)

1. Purpose and Scope

This is a guidance, and it applies to all Maintained, Academy, Independent, Nurseries, Free Schools, and FE Colleges in Derbyshire. It is intended to assist schools with a framework for the recording, retaining, and sharing of information regarded as Safeguarding information.

Safeguarding information for the purposes of this guidance is any information that gives causes for concern about a child and is therefore, recorded as a Child Protection, Welfare concern.

Child as defined in this guidance is any pupil/student up to the age of 18.
All references throughout the guidance to the Designated Safeguarding Lead (DSL) also relate to all other members of staff who have Designated Safeguarding Lead/Pastoral responsibility.

Throughout the guidance all such establishments are referred to as schools. The guidance can also be applied in Early Year's settings.

It is essential that all staff who work with children and young people; including those who care and educate, keep Child Protection and Welfare records. That all these staff understand what to record, how to record, what to store and for how long for. We must make sure that all day-to-day records are truly accurate, maintained, shared, and stored in a way which ensures a safe and secure approach, and that these records are shared in a way that protects pupils. This information should be in the school's Child Protection and Safeguarding Policy, including how the school makes a referral into Childrens Social Care, and what information is shared.

This guidance should also be read alongside:

- *Working together to Safeguard Children, (2026)*
- *The Derby and Derbyshire Safeguarding Children Partnership Information Sharing Guidance https://derbyshirescp.trixonline.co.uk/chapter/ddscp-information-sharing-guidance-for-practitioners?search=information%20sharing*
- *Information Sharing advice, a guide for Practitioners https://www.gov.uk/government/publications/safeguarding-practitioners- information-sharing-advice*
- *The Derbyshire Record Retention Guidance (School Retention Guidelines) https://staff.derbyshire.gov.uk/information-security/confidential- information/records-retention-schedules/records-retention-schedules.aspx*
- *The Data Protection Act 2018 and General Data Protection Regulation (GDPR). https://www.gov.uk/data-protection*
- *Keeping Children safe in Education,* 2026
- *Learning from Serious Case Reviews. KN15, Amber Peat. https://nscp.nottinghamshire.gov.uk/media/cdxlmnti/scrkn15.pdf*
- Learning from Serious Case Reviews and lessons for schools relevant to this guidance can be found in (Appendix A).

2. Online School Child Protection Recording Systems

This guidance also applies where schools are using an online Child Protection Record system. All forms that are used within this guidance upon completion should be individually scanned & uploaded to the relevant pupil/student's online file. If you use the recommended forms provided by the on-line system, you will need to check that the forms are GDPR compliant and the forms are also accepted by the Local Authority.

The function of purchased on-line software system (i.e., My Concern, CP Poms, or others) is a primarily a standalone Child Protection Safeguarding Record Keeping system. This system is ONLY for the purpose of recording Child Protection concerns. Schools must ensure no other information i.e., LADO (Allegations against Professionals, SEND etc.) are recorded separately and NOT on the Child Protection system.

Where schools, within Derbyshire are using reciprocal systems, when transferring CP records, you must transfer all the child's Welfare / Child Protection file. Where you have archived paper files on the child, these can be scanned on pre-transfer, or the paper file is sent along with all the online information.

Only authorised staff/trusted users should have access to the system. There should be levels of restrictions and only secure means of access to the system. Any agreements in place like this should be regularly subject to audit and review. Some systems may work remotely; however, this can increase the risk to data breaches. An online system contains highly confidential records which also often include another agencies documentation. Sharing Child Protection information must be on a need-to-know basis, with only those in the school who have Designated Safeguarding Lead or Pastoral Support roles and responsibilities. If a request is made, by a parent, guardian, or former pupil, for Safeguarding Records through a Subject Access Request, the setting should consider contacting their Data Protection Officer as soon as possible.

The school must ensure they have an appropriate service level agreement, service specifications; also including a means of audit and quality assurance. For Further support, guidance and information is available by contacting gdprforschools@derbyshire.gov.uk

3. Accurate and Up-to-Date Record Keeping

The Data Protection Act 2018 has 6 principles and everyone responsible for using data has to follow strict rules called the 'Data Protection Principles'. They must make sure the information is:

The first six data processing principles can be found in Article 5 of the General Data Protection Regulation 2018 and are as follows:

1) Lawfulness, fairness, and transparency. Data held by an organisation must be used fairly and lawfully.
2) Purpose limitation. It must be used for a limited, specifically stated purpose.
3) Data minimisation. It must be used in a way that is relevant and not excessive.
4) Accuracy. It must be accurate.
5) Storage limitation. It must be kept for no longer than is absolutely necessary.
6) Integrity and confidentiality. It must be kept safe and secure.

Accurate and up to date recording of Child Protection/Welfare concerns is essential for several reasons:

- It helps schools identify causes for concern at an early stage.
- It can identify concerns as they emerge from any point from Early Years through to post 16 and is therefore more effective in promoting the welfare of a child.
- It helps create a chronology - when a number of seemingly minor issues are taken as a whole that a Safeguarding or Child Protection/Welfare Concern becomes clear.
- It helps schools to monitor and manage its safeguarding practices including decision making, any actions taken, agreed joint strategies with other agencies demonstrating reducing any impact of harm to a child.
- It helps to evidence robust and effective safeguarding practice in inspections and audits.

The Enquiries Act 2015 (Referred to in the Derbyshire County Council School Retention Schedule Guidelines as IICSA (Independent Inquiry into Child Sexual Abuse)

This Act is the main statutory basis for establishing an inquiry into matters of major current concern. This Act requires that all files pertaining to children are retained "for as long as necessary"; therefore, any case files must NOT be destroyed. Any files found not to be in use need to be stored appropriately and responsibility taken to protect this data.
The term 'file) or {case record' does not just relate to a specific children's social care file such as a Child in Care or Child Subject of a Child in Need Plan, it relates to other areas where Children's Services have been involved, e.g., Education Welfare, After Care, Fostering, Adoption, etc. It also includes all staff data; for further information, please refer to the Derbyshire County Council School Retention Guidelines.

4. Information recording and information sharing when working remotely.

The following is taken from the Information Commissioner's Office guidance for safe home working.

Follow your setting's policies, procedures, and guidance.
Your setting will have adapted their approach to ensure that data is adequately protected. Avoid the temptation to do things in a way you think is more convenient, such as sending Emails through your personal account or using the video conferencing app that you use with friends for work calls.

Only use approved technology for handling personal data
If your organisation has provided you with technology such as hardware or software, you should use it. This will provide the best protection for personal data.

Consider confidentiality when holding conversations or using a screen.
You may be sharing your home working space with other family members or friends. Try to hold conversations, where they are less likely to overhear you and position your screen where it is less likely to be overseen.

Take care with print outs.
At the office, it is likely you can use confidential waste bins. At home you won't have that facility. Follow your setting's guidance or safely store print outs until you can take them into the office and dispose of them securely.

Don't mix your organisation's data with your own personal data.
If you have to work using your own device and software, keep your organisation's data separate to avoid accidentally keeping hold of data for longer than is necessary. Ideally, your setting should have provided you with secure technology to work with.

Lock it away where possible.
To avoid loss or theft of personal data, put print outs and devices away at the end of the working day if possible.

Be extra vigilant about opening web links and attachments in emails or other messages Don't click on unfamiliar web links or attachments claiming to give you important coronavirus updates. We're seeing a rise in scams so follow the National Cyber Security Centre's (NCSC) guidance on spotting suspicious emails.

Use strong passwords.
Whether using online storage, a laptop, or some other technology, it's important to make your passwords hard to guess.

The NCSC recommends using three random words together as a password (e.g., 'coffeetrainfish' or 'walltincake'). Make sure you use different passwords for different services too.

Communicate securely.
Use the communication facilities provided to you by your setting where available. If you need to share data with others, then choose a secure messaging app or online document sharing system. If you have to use email, which isn't always secure, consider password protecting documents and sharing the passwords via a different channel, like text.

Keep software up to date.
If you're using your own equipment, don't be an easy target for hackers. Keep your security software up to date to make it more difficult for them to get in. If your setting has provided you with technology to work from home, this should be managed for you.

5. The Designated Safeguarding Lead's Role

The Designated Safeguarding Lead role is an important one in taking a responsibility for the accurate recording, storage and transfer of Child Protection records and should ensure:

- All staff: including governors and volunteers, are aware of who they can discuss their concerns within a school. There always needs to be clear lines of communication and availability for access to a Designated Safeguarding Lead.

- That all staff know when and how to record concerns about a child / young person's welfare, however small or apparently insignificant, and that it is an essential part of the Designated Safeguarding Lead's role.

- What action needs to be taken in response to reported incidents or welfare concerns and ensure that a stand-alone file for each child / young people with Child Protection or Welfare concerns is opened and maintained.

- That all staff are given appropriate induction and refresher training and are supervised appropriately in carrying out these arrangements.

- That the Designated Lead of the school should ensure that all appropriate and relevant records are received from a previous setting.

- That the Designated Lead of the school should ensure that all appropriate and relevant records are carried forward from the receiving setting (Post 16 exemptions apply)

6. Child Protection Conferences

Schools play a vital role in ensuring the most vulnerable children are safe and supported. Schools are asked to attend and contribute to a Child Protection Conference as a school has direct knowledge of the child. If the school DSL is not available, the school may send a representative. This representative should be briefed about the child/ren been discussed and are able to make independent decisions around the threshold for significant harm when in conference.

Conferences bring together family members (and the child or children where appropriate), supporters, advocates, and those professionals most involved with the child and family to make decisions about the child's future safety, health, and development.

Initial Child Protection Conferences must take place within 15 working days of the decision being taken to hold a conference on a child. If the child is made subject to a Child Protection Plan a review must take place within 3 months and 6 monthlies thereafter until a child is removed from a Child Protection Plan.

There is an expectation that the school which the child attends will attend all Initial Conferences and subsequent reviews, they will present a report contributing to the recommendations and the plan for that child:

The report prepared for the conference should be:

- Written by the DSL and/or the staff member who has the most knowledge of the child which is then signed off by the DSL.
- Supplementary information can be provided on school headed paper, authorised & signed.
- Be shared with parents, the child/ young person at least 2 working days prior to conference and 5 working days prior to any review.
- You should arrive at Conference 30 minutes prior to the start in order to share your report & read other agencies reports.
- 10 copies of the report should be taken to conference by the representative. If the report is sent electronically, then it should be sent via Perspective Lite. Where hard copy data is taken off site, it should be signed out/in, as appropriate and copies, once past use, be securely shredded.

Writing the Report:

- Use the guide from your organisation.
- Distinguish fact from opinion.
- Focus on the headings in the Safety & Wellbeing Grid (Appendices B)

Important information to include with a focus on these headings.

- Presentation
- Attendance
- Progress and compared to other children in the cohort.
- Current concerns
- History of previous concerns
- Engagement of the pupil/student & evidence of wishes & feelings.
- Engagement of parents/carers
- Evidence of participation in meetings
- Other only relevant information for the purpose of making decisions and creating any plans.

For further information on Child Protection Conferences visit:

https://schoolsnet.derbyshire.gov.uk/keeping-children-safe-in-education/safeguarding-policies-guidance-and-protocols/child-protection-record-keeping-guidance.aspx

7. What Child Protection Records Should Be Kept

All staff who work with pupils/students on a regular basis are in a position to monitor their welfare and safety. If, as a result of their contact, a member of the school workforce is concerned as to the safety and welfare of a child, they have a responsibility to pass their concerns to the DSL within their school without delay.

Not all Child Protection information results in a referral to Childrens Social Care. A record should be made of anything that gives staff cause for concern about a child as well as any disclosure or allegation made. Even if the information does not appear to be very.
significant on its own, it could contribute to a picture of abuse that should not be ignored. Any information received by emails, rough notes, comments, and observations should be stored until they are properly recorded in the correct place. Notes can be destroyed once recorded in the correct place e.g.- Welfare Report Form, Chronology, Electronic log.

The school Prospectus/Website, Privacy Notice and/or a Child Protection Safeguarding Policy should:

- Notify parents/carers that Safeguarding records are being maintained.
- Has a responsibility to pass any concerns to the Children's Early Help, Health, Police, Psychology & Social Care Services following the agreed information sharing guidance provided by Derby and Derbyshire.

8. When and How to Start a Child Protection/Welfare File

A Child Protection/Welfare file should be started for an individual pupil/student as soon as the school is aware of any Child Protection/Welfare concerns about them. This may arise in several ways:

If a member of staff raises a concern about the welfare or wellbeing of a pupil/student

- If a child makes a disclosure —this should be recorded in writing using the Child Protection Welfare Concerns Report Form (Appendices C)
- If information is passed to the school by a previous school attended by the student.
- If the school is alerted by another agency (e.g., Police, Health, or Social Care) of Child Protection/Welfare concerns about that child.
- If a pupil/student is being transferred from another school / setting and Child Protection/Welfare records are being held
- That staff raise concerns for a pupil/student from their attendance, presentation or demeanour when first admitted to a school and previous information may be unknown.
- Separate files should be kept for individual siblings who are in the school, cross referenced to other children within the family. Relevant, and as necessary, redacted, information should be copied and placed on each individual sibling's file.

If more than one file exists in relation to an individual child, this should be indicated on each file, each file should be numbered, and dated, (e.g., September 2018, Vol. 3 of 3).

All records of Child Protection/Welfare concerns, disclosures or allegations must keep together and be treated as sensitive confidential information. Child Protection/Welfare files should be kept separately from the child's general school records. The information should be shared only with those on a need-to-know basis (DSL, Pastoral Team). If information is removed from the file for any reason, a card/note should be added indicating where the information can be found, when it was removed and who removed it. A DSL should be notified of the removal of any information from a file.

All Child Protection files if on paper, should be kept together in a secure place (e.g., a locked filing cabinet) kept only in either the Head teacher/Principal's office or DSL Office. The filing system should only be accessed via nominated DSL and staff and restricted to those whose role can justify access to it. If schools maintain an electronic recording system, relevant staff should be aware of access and log on privileges.

9. Recording a Child Protection/Welfare Concern

Where a child has made a disclosure, a written factual record, using the child's own words, should be made using the report form, Child Protection/Welfare Report Form. (Appendices C)

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

- As full account as possible of what the child said.
- An account of any questions put to the child.
- Time and place of disclosure
- Who was present at the time of the disclosure?
- The demeanour of the child; where the child was taken and where the child was returned to at the end of the disclosure.
- Any information provided to the child about what would happen next.

Pupils/Students should be informed that any disclosure they make will be treated sensitively but may need to be shared with other professionals if it is considered necessary to protect the child or someone else from harm.

Distinguish fact from opinion and record that difference clearly. Reports must have the facts, but professional opinion may be expressed, but recorded as an opinion and should be supported by stating the facts with observations upon which the opinion is based, i.e., jack appeared angry as he was kicking the table and swearing.

Where no disclosure has been made, but a member of staff has concerns regarding the welfare or well-being of a student, they should make a written account of such concerns using the report form (Appendices C). This will ensure that information from all members of staff is logged and collated so that essential information is not overlooked.

All records should be dated and signed, with the name of the signatory clearly printed, and filed in chronological order in the child's Child Protection/Welfare file.

All concerns and those then recorded concerns should be passed to the DSL as soon as possible and without delay. In some cases, it may be necessary to pass concerns verbally to the DSL and follow it up in writing within 24 hours. Concerns that appear initially to be trivial may turn out to be vital pieces of information, so it is important to give as much detail as possible.

The DSL must make a professional judgment about what action needs to be taken, and in that process should consult with other staff and relevant professionals, recording any actions around making that judgement. Any action should be also in accordance with contact and referral processes from the local Children's Board Safeguarding Procedures

or the Safeguarding Procedures of another Local Authority where the child normally resides.

Where possible, logs of concerns / incidents etc. should be typed, handwritten notes should be clearly legible and written in ink.

Any handwritten notes made immediately after the event, for example a disclosure, can act as evidence of them being written at the time in any future court case. Therefore, these should not be destroyed.

It is impossible to say, at the time of recording Child Protection concerns, who will eventually have access to it, or when. It may be consulted months or even years after it has been written. Always bear in mind that someone else or another agency (e.g., the police for purposes of a criminal investigation) may need to read your record at some stage in the future, this may also include the child's parents or carers.

10. Guidance on Actions for the Designated Safeguarding Lead following a report of concern/disclosure/new information

When a Child Protection/Welfare Concern is passed to you:

- Check that the information is sufficiently detailed.
- Check that it has been dated and signed by the staff member who reported the concern.
- If a body map has been completed (check your Local Authorities guidance on the use of body maps- they are not recommended for Derbyshire schools, unless it is part of an agreed Care Plan for a child)

Record your response or action to every welfare concern form passed to you. The level of detail of this record will clearly depend on the nature and seriousness of the concern but may include:

- Requests to staff for monitoring specific aspects of the child/young person's presentation, behaviour, attendance, etc.
- Discussions and telephone calls, with colleagues, children/young people, and parents, along with a record of full names and dates
- Professional consultations and requests for information with a record of who was consulted (full name and job title) and dates consulted.
- Letters sent and received.
- Recording the outcomes of any responses or action you took, with dates.

- Updating the chronology
- Updating the child/young person's file as new documents are produced or received.
- Filing all copies of referrals sent, letters sent and received, minutes of strategy discussions and Child Protection conferences including all other relevant documents in the child/young person's file, Update the front sheet, if necessary.
- Cross-reference to files for other children/young people within the family.
- Update the chronology in each pupil/student's Child Protection file if there are siblings in the school and ensure that relevant documents are copied across to each file.

11. Chronologies

A Chronology is a record of significant events for the individual pupil/student, the importance of understanding concerns for a pupil/student in the context of history, timelines and other known information cannot be underestimated and is vital for any pupil/student where you have decided to start a Child Protection File.

A Chronology must be maintained as a summary of single significant events and should tell a child's whole story in the context of the concern you want to include this should be retained at the front of the pupils/students Child Protection File.

This should not be a daily run of events or contacts; an example of a recommended Chronology is provided (Appendices D). The Chronology should provide a summary of the significant shared or received, an event or welfare/child protection incident. It should record any decision making, any action agreed, for example, following a phone call or discussion with other agencies and should have an outcome which will form part of the ongoing strategy for the pupil /student in school.

A Chronology as per the appendix example should be.

- Attached to any referral into Children's Social Care as it will form an important record of the school's Chronology of concerns, actions taken to date and can provide the evidence of the reasons for the referral.
- Used in public Care Proceedings as evidence.
- An essential tool to aid assessments.

12. Vulnerable Child Tracker/Mapping Tool

A Vulnerable Child Tracker/Mapping Tool (Schools Own) is a suggested tool and recommended for those schools/settings where they are keeping records on pupils/students who they deem to be vulnerable in their school/setting. It is a tool to be used by the Designated Safeguarding Lead/ Early Help Appointed Practitioner who has responsibility for monitoring those children.

Developing a Tracker Tool for all the schools/settings vulnerable children can prove useful, it can assist with your safeguarding activity and provide useful evidence for Ofsted (developing a secure spreadsheet tracker tool is appropriate for this purpose).

Should schools develop such a tool we recommend one Tracker sheet per year for cohorts/year groups of pupils/students. The Tracker can map for each pupil/student the types of services e.g.- free school meals, positive play, TAPS, the School Nurse, CAHMS/Counselling Services.

The Tracker can also indicate those that are LAC (Looked after Children), those receiving an Early Help social care intervention, Child in Need, those with a Social Worker in the school, and who are subject to a Child Protection Plan. You can also evidence Step Up and Step Down into services and record any rationale and outcome. If you are using such a tool, you should be taking this to regular meetings where safeguarding is discussed which can then be used to discuss, reflect, review and update.

Many schools now need to show a more effective way to track/map each of these pupils/students, this needs to show what support and services are being provided, the current types of interventions, the agreed strategies, and to demonstrate the outcomes.

The tool should be treated as a Child Protection Record and stored securely. Each Tracker sheet should be retained with your Child Protection Records. it is recommended that this tool is retained by the school as per Record Retention Guidelines.

13. The Child Protection File — Contents

An individual file should contain (in order) the following (Appendices E).

1 Front sheet with essential details/contacts

2. Chronology

3. Current logs/records of discussions, telephone calls and meetings with colleagues and other agencies or services

4. Logs/records of discussions, with parents/carers/family members

5. Professional consultations

6. Current completed Child Protection Incident/Welfare Report forms

7. Current Referral Forms (sent to Children's Social Care, other external agencies, or education-based services)

8. Current minutes or notes of meetings, CIN= TAF, Single Assessment. CP= Child Protection Conferences, Core Group meetings, etc, copied to the file of each child in the family as appropriate

9. Current formal plans for or linked to the child, e.g., Child Protection Plans, TAF etc.

10. Current letters sent and received.

11. Current other please state:

12. All Child Protection information received from the child's previous educational establishment.

*Definition of current is whilst the pupil/student is on roll at your school

14. Transferring Child Protection files between Schools and Out of School

The S2S system allows schools and Local Authorities to securely share information, for example to:

- Transfer pupil records using the https://www.gov.uk/government/publications/common-transfer-file-19- specification

- Send and receive messages to and from other users within the S2S network.

Local Authorities can also use S2S to report on the number of CT F transfers that have taken place in their region.

RM Integris, currently being used in Derbyshire, at the moment, does not allow for Child Protection Records to be transferred, therefore this must not be used for this process.

It is a must, that there is in the school an operational protocol around the transferring in and out of general files; and more importantly, for any Welfare / Child Protection file held on a pupil/student. The process should involve a nominated school office staff member and a Designated Safeguarding Lead,

Schools have additional responsibilities to ensure that they receive and transfer any Welfare/Child Protection file to any school both either in and out of the County. The guideline is this must be within 5 working days following the request (DCC Record Retention policy)

The following forms have been prepared to assist schools with the required evidence to identify and track the transfer of Welfare/Child Protection files. Your school may have your own forms, but the recommendation is to check against the following set of forms to ensure robust and safe practice.

Pre- Admission Request Form from the Previous School (Appendices F) is an example of a form which is completed by the previous school and then forwarded to the receiving school. This is essential information that can be transferred about the pupil/student, for example confirms that a Child Protection file exists, is the pupil/student a Looked after Child, is the pupil/student on a Child Protection Plan.

Transfer in of Pupil/Student Records Office Checklist (Appendices G) this will help the receiving school manage the receipt and tracking of the general and Child Protection file.

Receipt Letter for a Child Protection File and General School File (Appendices H) this is for the previous school to evidence that the records have been forwarded by special delivery or hand delivered, and that the receiving in school has acknowledged the receipt of that file.

When preparing a Child Protection File for transfer, the recommend checklist to use is the School Child Protection File — **Contents Checklist for a File Transfer (Appendices E) and the Transfer Out of School Office Checklist (Appendices I).** The Child Protection file must be placed in a separate (to the General Child's School File) sealed envelope, addressed as Child Protection Record and marked Confidential - FAO Senior Designated Safeguarding Lead/Head teacher. This file will be placed with the general file and sent by special delivery or hand delivered to the receiving school.

Nursery & Primary Schools

Ensure a child protection file is transferred with the general file to the receiving school and following the recommended processes described above using the current **Guidelines on Record Retention Periods for Schools.**

Secondary Schools /Special Schools

Secondary / Special Schools must ensure the following.

- A Child Protection File is transferred with the general file to the receiving school where that school is a Secondary/Special school. This is completed following the recommended processes described above and using the current **Guidelines on Record Retention Periods for Schools.**

- Ensure a Child Protection file is retained with the general file if the student has left through completing their study/exams or left due to school leaving age. Follow the current **Guidelines on Record Retention Periods for Schools.**

*Note the guidance laid down by the National Independent Enquiry still currently applies (see point 16 for further information)

Post 16 and FE Colleges

Ensure a Child Protection file is retained with the general file if the student has left through completing their study/exams/left due to school leaving age. Follow the current **Guidelines on Record, Retention Periods for Schools** (noting the current embargo on the destruction of files as mentioned above).

As a young person moves into Post 16 provisions outside of the school environment, any existing Child Protection and other associated records will be retained by the Local Authority. However, the school should become aware of the intended destination following **Reference Requests (Appendices J)** for the young person, and should return information as follows:

- Summary / Chronology of the concerns. This should be marked for the attention of the Designated Safeguarding Lead and completed contact details in the relevant section of the reference request.
- Indicate within the summary whether a Child Protection file is held and or any Child Protection information if current and relevant.
- Share any current and relevant information that is likely to have an impact for the young person that may also include any impact for the Post 16 provision.

Colleges have produced in Derbyshire a useful **Transition Document for Secondary's (Appendices K)**

Where a reference request is not received (i.e., due to late applications being made during the summer holiday period) if the secondary school is aware of the intended destination, they should contact the Post 16 / FE Provider at the earliest opportunity to check if the student has enrolled.
Upon confirmation the Secondary school needs to make the necessary arrangements to share any of the Child Protection information if current and relevant, including where it is likely to have an impact for the young person; this may also include where there may be concern for any impact for the Post 16 provision, This should require the Secondary school to complete a return summary/chronology.

15. Pupils/Students who are Missing / Elective Home Education- Traveler, Migrant, Roma, short stay.

Where records of Child Protection/Welfare Concerns have been kept as a file for the following pupils:

Children Missing from Education

If the child leaves the school but details of the receiving school is not known, schools must follow the Children Missing from Education Protocol, and take advice from the Missing from Education Co-coordinator following the summary **current Guidelines on Record Retention Periods for Schools (Appendices L)**

You can get advice from: CS.CMEAttendance@derbyshire.gov.uk Elected

Home Educated

Where records of Child Protection/Welfare Concerns have been kept as a file, and where a child is removed from roll to be educated at home, a school should take advice from the Local Authority Elected Home Education Coordinator and follow the summary **current Guidelines on Record Retention Periods (Appendices L).**

You can get advice from: CS.EHE@derbyshire.gov.uk

Traveler, Migrant, Roma

If a pupil/student is from a Traveler, Migrant, or Roma family and the pupil/student has a Child Protection/Welfare File, and leaves the school; schools must follow Children Missing from Education Protocol, and take advice from the Missing from Education Co-ordinator and follow the summary current Guidelines **on Record Retention Periods (Appendices L)**

You can get advice from: CS.CMEAttendance@derbyshire.gov.uk Short Stay

Where a school believes, a child is transferring to a short stay school, the transferring school.
should establish that the student is on the role of the short stay school before following any steps to transfer a Child Protection file.

16. Retention/Storage of Child Protection Files

Due to the ongoing Independent Inquiry into Child Sexual Abuse (IICSA) there are restrictions on destroying pupil or staff records. For further clarification, please refer to the Derbyshire County Council Retention Schedule Guidelines for Schools.

A Governing body (Trustee/Proprietor) has responsibilities to ensure a school carries out its duties with regard to accurate recording and record keeping, transfer, and in particular retention and storage of records. The Governance Handbook makes reference to the role of the governing body in how they deliver those functions and should assist a school to carry out their duties from the broader legislation. A Governing body must ensure record retention where relevant and in line with national and local guidelines,

The Local Authority (LA) retains information about children and where there are Allegations Against Professionals through a LADO process (Local Authority Designated Officer) for many years*, therefore anything reported to the Children's Early Help, Psychology & Social Care Services and copied to Education services will still be available.

The Data Protection Act requires that schools, or other bodies that keep information, maintain a list of records which have been destroyed and who authorised their destruction Members of staff should record at least*

- File reference (or another unique identifier)
- File title (or brief description)
- Number of files
- The name of the authorising officer
- Date action taken.
- This could be kept in an Excel spreadsheet or other database format.

All schools must refer to the Derbyshire County Council's Summary Current **Guidelines on Records Retention Periods for schools (Appendices L)**

***IMPORTANT**

Due to the ongoing National Independent Enquiry (originally Goddard) into Historical Child Sexual Exploitation all pupil/student staff records should not be destroyed until further notice.

For any further advice on the issue of retention of records please refer to records.management@derbyshire.gov.uk

17. Access to Child Protection Files, Information Sharing & SARS

Any pupils/student who has a Welfare/Child Protection file has the right to access their personal record, unless to do so would; affect their health or well-being or that of another person; or would be likely to prejudice an ongoing criminal investigation.

Parents (i.e., those with parental responsibility in law) are entitled to see their child's Welfare/Child Protection file on behalf of their child; this with the same exceptions applying as to the child's right to access their files. An older child aged 13 and above (Fraser competent), may be entitled to refuse access to their records by their parents.

If a parent makes a Subject Access Request (SARS) request to access the file held on their child, you must:

- Check that the parent holds Parental Responsibility
- Please be aware a SAR can be made verbally, via email, letter, or through social media and to any member of the staff within the setting.
- In all cases advice should be taken from Derbyshire County Council's GDPR for Schools team (GDPRforSchools@derbyshire.gov.uk Tel: 01629 532888)

Child Protection information should not ordinarily be shared with agencies other than the statutory agencies, e.g., information should not be released to solicitors etc. Where such a request is made advice should be sought from the school's legal advisor and DPO.

Conversations between schools for the purpose of transfer or sharing of information for examples where there are siblings at another school is encouraged and is essential in many cases to inform of any potential or actual concerns or risks. This conversation should take place between the Designated Safeguarding Leads in the school as part of their role.
Parents/carers should be informed and where possible consent obtained. Those conversations should be logged and retained in the pupils/student's Child Protection file.

The school should always take further advice about information sharing with parents. Schools should consult with their DPO (Data Protection Officer) in the first instance before sharing any records. In addition, you may need to consult with a legal practitioner in cases where there are also Social Care records, and complex disputes/complaints.

18. GDPR and Confidentiality

All records of Child Protection, Welfare Concerns, Disclosures or Allegations must be treated as sensitive confidential information. They must be kept together but separate from all other school records, Storage of the documents must be in a secure place away from any corridors where pupils /students or public could possibly gain access.

The information can only be shared on a need-to-know basis in order to carry out their safeguarding functions within the school. Not all staff should have the information as it should be case by case and depending on the role and function of that individual in the school. Some pastoral staff for example needs information to help them care for that pupil / student and without that knowledge would not know about any potential risks or harm done.

Any files or system must have restricted access to those who need access in order to carry out those safeguarding duties. Where a setting uses electronic recording, they should be clear as to who is able to access some, or all, records, dependent upon their role and whether that role carries rights to view or to view and amend/author.

The confidentiality of the child or family should be respected as far as possible, but the welfare of the child is paramount and information in certain situations can be shared and should be shared. For further guidance refer to Derby and Derbyshire's Safeguarding Children Partnership Information Sharing Agreement and Guidance for Practitioners. (Appendices M)

19. Auditing Child Protection Files

The Senior Designated Safeguarding Lead should carry out an annual audit of the school's Child Protection/Welfare files to ensure that robust records are being kept in an appropriate manner and in line with the above guidance. There is a recommended **Audit Checklist to use (Appendices N)**

20. Escalation

There may be situations where:

- There has been no prior communication about the pupil/student being admitted which may get in the way of keeping that child safe.
- A child's file from another school/setting has not been sent.
- A child's file from another setting has not arrived in a timely way.
- A school has appeared to have lost the file having made enquiries.
- A receiving school does not appear to have robust systems in place which reassure you can send the file safely and knowing it will be retained.
- You only become aware that the pupil/student has a history of concerns and or safeguarding file at the previous school having made enquiries due to an emerging need or safeguarding incident.

Communication is the key to resolving issues like this. The Designated Safeguarding Lead should pursue and attempt to resolve all cases. A record should be kept of this activity along with the forms, dates, and times of any attempts to resolve and when files were sent or upon the receipt of Child Protection/Safeguarding files.

If there is no resolution:

- Pre-schools/Early Years/ Childminders within Derbyshire: The Designated Safeguarding Lead should alert the Early Years & Childcare Department on 01629 532777 or 01629 539533
- Nurseries attached to Schools/Schools in Derbyshire: The Designated Safeguarding Lead should escalate by contacting the DPO (Data Protection Officer)
- Out of County schools: The Designated Safeguarding Lead should alert the local children's Safeguarding Partnership for that Local Authority. How to make contact should be available on the relevant Local Authority's Partnerships website.

21. Useful Flow Charts

Two flow charts have been produced as a quick guide and reference to be on display in the relevant area in schools which summaries the key points to remember (Appendices PI & P2)

22. Management of the guidance

- To ensure all staff including all governors and volunteers read, sign for and have access to this guidance.
- That the flowcharts are made accessible to staff.
- That a copy is kept in the master Safeguarding Portfolio.
- That it is made available to parents and can be displayed on the school's website.
- That is overseen to ensure its implementation:
- That there is a regular audit of the schools Child Protection files.

Signed

Headteacher: Date:

Designated Safeguarding Lead: Date:

Chair Board of Governors: Date