

1. Safeguarding and Child Protection Policy

The purpose and scope of this policy statement

The aim of Tutor Led Learning is to provide outstanding tuition to children aged approximately 10-16 years of age. Tuition may take place on a one to one, one to small group (tutorial) or one to many (webinar) basis. Predominantly tuition is conducted online but could, occasionally, take place face to face.

The purpose of this policy statement is:

- to protect children and young people who receive Tutor Led Learning's services from harm
- to provide staff and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection.

This policy applies to anyone working on behalf of Tutor Led Learning, including senior managers, paid staff, volunteers, sessional workers, agency staff and students.

This Safeguarding and Child Protection Policy includes sections on:

- A. role description for the designated safeguarding officer
- B. dealing with disclosures and concerns about a child or young person
- C. recording concerns and information sharing
- D. safer recruitment
- E. child protection records retention and storage

Legal framework

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in England. A summary of the key legislation and guidance is available from nspcc.org.uk/childprotection.

Supporting documents

This policy statement should be read alongside our organisational policies, procedures, guidance and other related documents:

- Policy 1: Safeguarding and Child Protection policy (this policy)
- Policy 2: Online safety policy
- Policy 3: Complaints policy
- Policy 4: Behaviour and discipline policy
- Policy 5: Health and safety policy

We believe that:

- children and young people should never experience abuse of any kind
- we have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them.

We recognise that:

- the welfare of children is paramount in all the work we do and in all the decisions we take
- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare
- all children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have an equal right to protection from all types of harm or abuse
- some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- extra safeguards may be needed to keep children who are additionally vulnerable safe from abuse.

We will seek to keep children and young people safe by:

- valuing, listening to and respecting them
- appointing a designated safeguarding lead for children and young people
- adopting child protection and safeguarding best practice through our policies, procedures and code of conduct for staff and volunteers
- developing and implementing an effective online safety policy and related procedures
- providing effective management for staff and volunteers through supervision, support, training and quality assurance measures so that all staff and volunteers know about and follow our policies, procedures and behaviour codes confidently and competently recruiting and selecting staff and volunteers safely, ensuring all necessary checks are made
- recording and storing and using information professionally and securely, in line with data protection legislation and guidance [more information about this is available from the Information Commissioner's Office: ico.org.uk/fororganisations]
- sharing information about safeguarding and good practice with children and their families via our website
- making sure that children, young people and their families know where to go for help if they have a concern
- using our safeguarding and child protection procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately
- using our procedures to manage any allegations against staff and volunteers appropriately
- creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise
- ensuring that we have effective complaints and whistleblowing measures in place
- ensuring that we provide a safe physical environment for our children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance
- building a safeguarding culture where staff and volunteers, children, young people and their families, treat each other with respect and are comfortable about sharing concerns.

1A. Role of the designated safeguarding lead

Tutor Led Learning's designated safeguarding lead is Director Andrew Milson. His role and responsibilities include:

Managing referrals

The designated safeguarding lead is expected to refer cases:

- Of suspected abuse and neglect to the local authority children's social care as required and support staff who make referrals to local authority children's social care;
- To the [Channel programme](#) where there is a radicalisation concern as required and support staff who make referrals to the Channel programme;
- Where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- Where a crime may have been committed to the Police as required. [NPCC - When to call the police](#) should help understand when to consider calling the police and what to expect when working with the police.

Working with others

- Act as a source of support, advice and expertise for all staff;
- Act as a point of contact with the safeguarding partners;
- Promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances;

Information sharing and managing the child protection file

- Ensuring safeguarding remains on the agenda of weekly management meetings
- Ensuring that child protection files are kept up to date
- Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child
- Ensure the file is only accessed by those who need to see it

Raising awareness

- Ensure each member of staff has access to, and understands, Tutor Led Learning's Safeguarding and Child Protection Policy and procedures, especially new and part-time staff;
- Ensure Tutor Led Learning's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly
- Ensure the Safeguarding and Child Protection Policy is available publicly and parents know that referrals about suspected abuse or neglect may be made and the role of Tutor Led Learning in this;
- Link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements

Training, knowledge and skills

- Understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes;
- Are alert to the specific needs of children in need, those with special educational needs and disabilities (SEND), those with relevant health conditions and young carers;
- Understand the importance of information sharing, both within Tutor Led Learning, and with the safeguarding partners, other agencies, organisations and practitioners;

- Understand and support the school or college with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- Are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are learning online with Tutor Led Learning
- Can recognise the additional risks that children with special educational needs and disabilities (SEND) face online, for example, from bullying, grooming and radicalisation and are confident they have the capability to support children with SEND to stay safe online;
- Obtain access to resources and attend relevant or refresher training courses;

Providing support to staff

- Ensure that staff are supported during the referrals processes; and
- Support staff to consider how safeguarding, welfare and educational outcomes are linked

Understanding the views of children

- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures Tutor Led Learning may put in place to protect them; and
- Understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusted relationships which facilitate communication.

Holding and sharing information

- Understand the importance of information sharing, both within Tutor Led Learning, and with safeguarding partners, other agencies, organisations and practitioners;
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR); and
- Be able to keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.

1B. Dealing with disclosures and concerns about a child or young person

What should you do if a child comes to you and tells you that they are being abused? It's normal to feel overwhelmed and confused in this situation. Child abuse is a difficult subject that can be hard to accept and even harder to talk about. Children who are abused are often threatened by the perpetrators to keep the abuse a secret. Thus, telling an adult takes a great amount of courage. Children have to grapple with a lot of issues, including the fear that no one will believe them. So, care must be taken to remain calm and to show support to the child throughout the disclosure phase. The following guidelines will help lessen the risk of causing more trauma to the child and/or compromising a criminal investigation during the disclosure phase.

Receive:

Listen to what is being said without displaying shock or disbelief. A common reaction to news as unpleasant and shocking as child abuse is denial. However, if you display denial to a child, or show shock or disgust at what they are saying, the child may be afraid to continue and will shut down.

Accept what is being said without judgement. Take it seriously.

Reassure:

Reassure the child, but only so far as is honest and reliable. Don't make promises that you can't be sure to keep, e.g. "everything will be all right now". Reassure the child that they did nothing wrong and that you take what is said seriously.

Don't promise confidentiality – never agree to keep secrets. You have a duty to report your concerns.

Tell the child that you will need to tell some people, but only those whose job it is to protect children.

Acknowledge how difficult it must have been to talk. It takes a lot for a child to come forward about abuse.

React:

Listen quietly, carefully and patiently. Do not assume anything – don't speculate or jump to conclusions.

Do not investigate, interrogate or decide if the child is telling the truth. Remember that an allegation of child abuse may lead to a criminal investigation, so don't do anything that may jeopardise a police investigation. Let the child explain to you in his or her own words what happened, but don't ask leading questions. Do ask open questions like "Is there anything else that you want to tell me?"

Communicate with the child in a way that is appropriate to their age, understanding and preference. This is especially important for children with disabilities and for children whose preferred language is not English.

Do not ask the child to repeat what they have told you to another member of staff. Explain what you have to do next and whom you have to talk to.

Refer directly to the named child protection officer or designated person in your organisation (as set out in the organisation's child protection policy). Do not discuss the case with anyone outside the child protection team.

Record:

Make some very brief notes at the time and write them up in detail as soon as possible. Do not destroy your original notes in case they are required by Court.

Record the date, time, place, words used by the child and how the child appeared to you – be specific. Record the actual words used; including any swear words or slang.

Record statements and observable things, not your interpretations or assumptions – keep it factual.

1C Recording concerns and information sharing

Accurate and up-to-date records of safeguarding concerns are essential for a number of reasons:

- They can help you identify concerns at an early stage.
- They can help you identify patterns of concern.
- They can enable you to record seemingly minor issues to build a more complete picture of what a person may be experiencing.
- They help you monitor and manage safeguarding practices, including decision making, actions taken and agreed joint strategies with other agencies.
- They can provide you with evidence to support actions both within your organisation and when working with external agencies.
- They can support you to demonstrate action taken to reduce the impact of harm.
- They can provide continuity when staff or volunteers change or are unavailable.

Information sharing and managing the child protection file

The Designated Safeguarding Lead will:

- Ensuring safeguarding remains on the agenda of weekly management meetings
- Ensuring that child protection files are kept up to date
- Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child
- Ensure the file is only accessed by those who need to see it

Raising awareness

The Designated Safeguarding Lead will:

- Ensure each member of staff has access to, and understands, Tutor Led Learning's Safeguarding and Child Protection Policy and procedures, especially new and part-time staff;
- Ensure Tutor Led Learning's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly
- Ensure the Safeguarding and Child Protection Policy is available publicly and parents know that referrals about suspected abuse or neglect may be made and the role of Tutor Led Learning in this;
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Record keeping

Tutor Led Learning ensures records are made and kept secure via a reporting form, safeguarding case file and concerns log as follows:

1. Reporting form

This should be a paper-based form or an electronic form which staff and volunteers can use to report a concern.

- Who is making the report.
- When the report was made.
- What the concern is (using the 'who, what, where, when' method).
- Why they were concerned?

2. Safeguarding case file

A safeguarding case file is your record, as DSL, of any decision making, actions or information related to the concern. This could be a paper-based file or an electronic file.

- Name of the DSL.
- Date concern received.
- Who else the concern is discussed with.
- Action taken.
- Any rationale for decision making.
- External organisations reported or referred to.
- Information sharing (who, when and why).

3. Concerns log

A safeguarding concerns log is a tool for you, as DSL, to keep a track of the safeguarding concerns reported to you. It could be a paper-based form or electronic file, like a spreadsheet.

The concerns log should give you a quick guide to outstanding cases and actions. It should not include any personal details, which should be kept in the safeguarding case file. The concerns log also helps you to report both internally and externally on the number and types of safeguarding concerns you're receiving.

How to share information

- **Use the official form.** If you are referring to another organisation or social services, they may have a form to use. Try to use this as it helps the organisation to process information quickly.
- **Use specific language and describe the situation in factual detail.** Different teams and agencies may use different terminology, so make sure you use clear language.
- **Keep it secure.** If you are sending personal or sensitive information, keep it secure. If you don't have an encrypted email, password protect any documents or consider other methods of keeping information safe.
- **Record what you have shared.** Any information shared, whether verbally or by writing must be recorded.

If a tutor believes a child to be in immediate danger, they should call the Designated Safeguarding Lead. If they do not believe the child to be in immediate danger, they should complete the Safeguarding Concern Form as soon as is reasonably possible.

The Designated Safeguarding Lead will then discuss the allegation with the Deputy Safeguarding Officer and obtain further details of the allegation and the circumstances in which it was made. Should it be judged necessary, the Local Authority Designated Officer (LADO) may be contacted and/or other relevant authorities involved.

The Designated Safeguarding Lead shall report the outcome of the investigation to the person who reported the original concern.

1D Safer recruitment

Tutor Led Learning comprises two members of staff: the founding Directors. Both Directors hold PGCEs, QTS and enhanced DBS certificates. Both have been employed by English public sector secondary schools and as such received a wide range of statutory training relating to safeguarding and wellbeing.

Tutor Led Learning does not currently employ any staff other than its two founding Directors. This policy will be updated in advance of any staff or volunteers being engaged. At a minimum all future staff and volunteers will be required to submit an enhanced DBS certificate showing eligibility to work with young people.

1E Child protection records retention and storage

If an organisation needs to hold records about a child or adult for any reason, it should have policies and procedures in place regarding the retention and storage of that information.

As well as this, as part of its safeguarding policy and procedures, every organisation should have clear guidelines for the retention, storage and destruction of child protection records. These are records which relate to concerns about a child's welfare and safety, and/or concerns about possible risks posed by people working or volunteering with children.

According to Data Protection principles, records containing personal information should be:

- adequate, relevant and not excessive for the purpose(s) for which they are held
- accurate and up to date
- only kept for as long as is necessary (Information Commissioner's Office, 2021).

The introduction of the General Data Protection Regulation (GDPR) in 2018 does not change the way child protection records should be stored and retained.

Your organisation should:

- know the reason why you're keeping records about children and/or adults (for example, because they relate to child protection concerns)
- assess how long you need to keep the records for
- have a plan for how and when the records will be destroyed.

To keep personal information secure, you should:

- compile and label files carefully
- keep files containing sensitive or confidential data secure and allow access on a 'need to know' basis
- [keep a log](#) so you can see who has accessed the confidential files, when, and the titles of the files they have used.

Concerns about children's safety and wellbeing

If anyone in your organisation has concerns about a child or young person's welfare or safety, it's vital all relevant details are recorded. This should be done regardless of whether the concerns are shared with the police or children's social care.

Keep an accurate record of:

- the date and time of the incident/disclosure
- the date and time of the report
- the name and role of the person to whom the concern was originally reported and their contact details
- the name and role of the person making the report (if this is different to the above) and their contact details
- the names of all parties who were involved in the incident, including any witnesses
- the name, age and any other relevant information about the child who is the subject of the concern (including information about their parents or carers and any siblings) what was said or done and by whom
- any action taken to look into the matter
- any further action taken (such as a referral being made)
- the reasons why the organisation decided not to refer those concerns to a statutory agency (if relevant).

Storage of child protection records

Whether your child protection records are electronic or paper-based, they should be kept confidential and stored securely. Electronic files should be password protected and stored on computers with protection against hackers and viruses.

- Information about child protection concerns and referrals should be kept in a separate child protection file for each child, rather than in one 'concern log'. The child protection file should be started as soon as you become aware of any concerns.
- It's good practice to keep [child protection files](#) separate from a [child's general records](#). You should mark the general record to indicate that there is a separate child protection file. If you need to share records (within your own organisation or externally), make sure they are kept confidential. Use passwords and encryption when sharing electronic files.
- If staff and volunteers use their personal computers then records should only be created, stored and accessed via secure online/cloud services with restricted access
- If the person responsible for managing your child protection records leaves your organisation, make sure you appoint somebody to take over their role and arrange a proper handover.

Retention periods: child protection records

In England, Scotland and Wales, the file should be kept until the child is 25 (this is seven years after they reach the school leaving age) (Information and Records Management Society (IRMS), 2019).

In Northern Ireland, the government recommends that child protection files should be kept until the child's 30th birthday (Department of Education, 2016).

In some cases, records should be kept for longer periods – see the 'Exceptions' section below for more information.

Recording concerns about adult behaviour

Sometimes concerns might be raised about an adult who works or volunteers with children. This could be because they've:

- behaved in a way that has harmed, or may have harmed, a child
- committed a criminal offence against, or related to, a child
- behaved in a way that indicated they are unsuitable to work with young people

You should keep [clear and comprehensive records of all allegations made against adults](#) working or volunteering with children, including:

- what the allegations were
- how the allegations were followed up
- how things were resolved
- any action taken
- decisions reached about the person's suitability to work with children.

Keeping these records will enable you to give accurate information if you are ever asked for it. For example

- in response to future requests for a reference
- if a future employer asks for clarification about information disclosed as part of a vetting and barring check
- if allegations resurface after a period of time.

Storing records relating to adults

Records relating to concerns about an adult's behaviour should be kept in the person's confidential personnel file (not in a central 'concerns log') and a copy should be given to the individual.

Retention periods: concerns about adults

If concerns have been raised about an adult's behaviour around children, the general rule is that you should keep the records in their personnel file at least until they reach their normal retirement age or for 10 years – whichever is longer (IRMS, 2019; Department for Education, 2022). This applies to volunteers and paid staff.

For example:

- if someone is 60 when the investigation into the allegation is concluded, keep the records until their 70th birthday
- if someone is 30 when the investigation into the allegation is concluded, keep the records until they are aged 65.

You should keep records for the same amount of time regardless of whether the allegations were unfounded. However, if you find that allegations are malicious you should destroy the record immediately. In Northern Ireland, the Department of Education recommends that records of allegations against a member of school staff should be retained indefinitely unless they are completely exonerated (Department of Education, 2015). Information should be retained even if the person stops working or volunteering for the organisation. In some cases, records should be kept for longer periods – see the 'Exceptions' section below for more information.

Exceptions

There are some situations where records need a longer retention period. For example, if:

- the records provide information about a child's personal history, which they might want to access at a later date
- the records have been maintained for the purposes of research
- the information in the records is relevant to legal action that has been started but not finished
- the records have been archived for historical purposes (for example if the records are relevant to legal proceedings involving the organisation).

Where there are legal proceedings it is best to seek legal advice about how long to retain your records.

Some records are subject to statutory requirements and have a specific retention period. This includes records relating to:

- children who have been 'looked after' by the local authority
- adopted children
- registered foster carers
- residential children's homes.

You should check the legislation to see which rules apply to your organisation. Links to the legislation in each of the UK nations is available below.

You should also check whether your insurance company, regulating body or local safeguarding agencies make any stipulations about retention periods.

When records are being kept for longer than the recommended period, files should be clearly marked with the reasons for the extension period.

Organisations should keep any records that could be needed by an official inquiry (for example the Independent Inquiry into Child Sexual Abuse (IICSA) (IICSA, 2018)). Inquiries will issue directions for records to be retained and these must be followed.

Criminal records checks

You shouldn't store copies of criminal records check certificates unless there is a dispute about the results of the check. Instead, a confidential record should be kept of:

- the date the check was completed
- the level and type of check (standard/enhanced/barred list check and the relevant workforce) • the reference number of the certificate
- the decision made about whether the person was employed (with reasons).

If there is a dispute about the results of a check, you may keep a copy of the certificate for no longer than six months.

Destruction of child protection records

When the retention period is finished, confidential records should be incinerated or shredded in the presence of a member of the organisation or entrusted to a firm specialising in the destruction of confidential material. At the same time any electronic versions of the record must be purged.

If not shredded immediately, all confidential records should be held in a secured plastic bag, labelled as confidential and locked in a cupboard or other secure place; or placed in a confidential waste bin.

If your organisation or part of an organisation (for example a club, team or project) is closed down, you should make arrangements for the ongoing management of records. This includes the review, retention and disposal of records.

Reviewing your child protection records retention and storage policy

You should review your child protection records retention and storage policy regularly to make sure it is effective and continues to comply with current legislation and guidance. This should be carried out as part of a wider review of safeguarding policies and procedures.

If you make changes to your child protection records retention and storage policy, it's best practice to keep a copy of the original version, including a record of the changes you made and why. You should clearly mark the old version so it's clear it has been superseded.

Contact details

Nominated child protection lead

Name: Andrew Milson

Phone/email: andy@tutorledlearning.com

Deputy child protection lead(s)


Name(s): David Martin

Phone/email: David@tutorledlearning.com

NSPCC Helpline 0808 800 5000

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on:19 November 2022.....(date)

Signed: ...  . Date: 19 November 2022.....