



CHILDREN

ADULTS

COMMUNITIES

# Guidance on the Transfer of a Child Protection Safeguarding File to another Educational Setting

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2016

*'Where children leave the establishment ensure the child protection [safeguarding] file is copied for the new establishment as soon as possible but transferred separately from the main pupil file, ensuring a secure transit and confirmation of receipt should be obtained.'* (Annex B: Keeping Children Safe in Education – Statutory Guidance for Schools and Colleges – July 2015)

Version 2

## Introduction

The guidance has been created by the Keeping Bristol Safe Partnership (KBSP) to ensure that all relevant child protection and safeguarding information about a child is known to the educational setting that a child attends. It is imperative that, in order to promote a child's welfare and thus their educational needs, that any concerns around the child are documented and passed on when the child moves to a new setting.

Working Together to Safeguard Children (2015) states that '*...safeguarding children and protecting them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play*'.

Brandon *et al* (2013), conducted a study into 'New Learning from Serious Case Reviews: a two year report 2009-11' in which the 'Importance of full, accurate and accessible information was a frequent theme across agencies. The need for better information sharing both between and within agencies was central to many of the recommendations made.'

The Data Protection Act 1998 is not a barrier to information sharing, but provides a framework to ensure that personal information about living persons is shared appropriately (Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers, March 2015<sup>1</sup>).

Well-kept records are essential to good safeguarding and child protection practice. All staff should be clear about the need to record and report concerns about a child or children within the school or educational setting. The Designated Safeguarding Lead (DSL) is responsible for such records and, ultimately, the child protection/safeguarding file.

At times of transition, it is an opportunity for careful, proactive planning and sharing of information which, if conducted sensitively, can ensure a successful transition at any stage.

## Scope of Policy

For the purpose of this guidance, all educational settings, providing education up to the school leaving age, will be referred to as a school. This includes: Early Years Settings, Schools, Academies, Trust Schools, Free Schools, Pupil Referral Units, Special Schools, Independent Schools, and Alternative Learning Providers. Home Education and Post 16 providers will be referred to separately.

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<sup>1</sup> <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

## **Contents**

- 1. Good practice**
- 2. What should be in a child protection/safeguarding file?**
- 3. How to transfer the child protection/safeguarding file**
- 4. Electronic records**
- 5. Pupils who are dual registered or educated off-site**
- 6. Storage**
- 7. Retention of Records**
- 8. Access to child protection/ safeguarding files and information sharing**
- 9. Sharing information with Post 16 providers**
- 10. Transfer of files outside the Bristol Local Authority area containing**
- 11. Domestic Abuse Notifications from Avon and Somerset Constabulary**
- 12. Sources of further information**

## **1. Good Practice**

A clear statement about the process of transferring information should be included in the school's safeguarding/child protection policy. By stating that you have a duty of care to share information, should a child leave your school, ensures that parents understand that this is your practice.

It is advised that a Privacy Notice (previously known as 'Fair Processing Notice') should also be issued annually to parents in the Autumn Term, about the same time as issuing the SIMS Data Checking Sheets, so that the school can update the schools SIMS or IMS with corrected data. New parents, who join in the year should also be given a copy of the Notice. This is a general Privacy Notice to cover all data held and processed in the school and therefore includes the transfer of child protection files.

## **2. What should be in a Child Protection/Safeguarding File?**

A child protection /safeguarding file is the record kept by the Designated Safeguarding Lead (DSL) of any concerns about a child's welfare. These concerns should be factual and not have opinions attached. This file may only have one concern in it or it may be a large file with extensive history. It is the record of all safeguarding concerns. Regardless of its size, the file must be passed on, in its entirety, to the next educational setting.

It is the responsibility of the DSL to ensure that the file is kept up to date and a chronology is maintained in each case. A chronology is the brief overview of the schools concerns and highlights all the significant events for the child. It should not contain details, just a brief one sentence statement of what has occurred, who was involved and what happened as an outcome.

The contents of the file can include -

- Basic details
- Chronology
- Cause for Concern forms
- Referrals to First Response (for Early Help or Children's Social Care) and
- outcomes of referrals made
- Domestic abuse information e.g. police notifications
- MARAC information

- Child Protection Conference minutes/ school contribution/ core group minutes
- Any CYPS assessments
- Common Assessment Framework/ Single Assessment Framework (CAF/SAF)
- Multi-Agency meetings minutes

Should third party reports be included, then the owner of such reports should be aware that it will be included in the child protection/ safeguarding file.

### **3. How to transfer the Child Protection/Safeguarding File.**

When a child transfers to another school, the Designated Safeguarding Lead should inform the receiving school within five school days, that a child protection/ safeguarding file exists. The receiving school should routinely ask the previous school if a child protection/safeguarding file exists, for all transfers. The original child protection/ safeguarding file must be passed on either by hand or sent recorded delivery, separate from the child's main school file, within five school days from notification. Care must be taken to ensure confidentiality is maintained and the transfer process is as safe as possible. Parents should never be used as couriers for such files.

Schools should keep a copy of the file themselves; this will provide the school of evidence of what the school knew and the actions they took to safeguard and promote the welfare of the child. All copies should be stored securely and destroyed once the retention period has expired. The minimum retention period within this policy is the lesser of either (a) six years, or (b) if relating to a child, the 25th birthday of the child, in line with the Limitation Act 1980<sup>2</sup>.

Whether child protection/safeguarding files are passed on by hand or sent recorded delivery, there should be written evidence of the transfer (such as a form or slip of paper signed and dated by the member of staff at the receiving school – (see Appendix A). This receipt should be retained by the originating school for 6 years, in line with Records Management Society guidance.

### **Children that pose a risk**

It is essential that information is provided to the receiving school/ Post 16 provider at the earliest possible opportunity where there is a concern that pupil/ student may pose a risk to others. This enables the receiving school/ Post 16 provider to undertake the necessary risk assessments and ensure subsequent support is in place, so the pupil/student's start at the new educational establishment is not hampered.

Schools and Post 16 Providers are strongly advised to contact the previous school if they have concerns about a young person and are not in receipt of a child protection/safeguarding file.

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<sup>2</sup> <http://www.legislation.gov.uk/ukpga/1980/58/contents>

## **Elective Home Education**

If the pupil is removed from the roll to be electively home educated, the school should pass the child protection/safeguarding file to the local authority's Elective Home Education (EHE) advisor and a receipt obtained as described above.

## **Children Missing Education**

If a pupil with a Child Protection Record leaves the school without a forwarding address and no contact is received from a new school within 10 school days, the DSL should follow the Education Welfare Service Pupil Tracking Referral Process, which can be found on the Bristol City Council website under Education Welfare Service.

## **4. Electronic Child Protection Records**

Electronic records must be password protected with access strictly controlled in the same way as paper records.

They should be in the same format as paper records (i.e. with well-maintained chronologies etc.) so that they are up to date if/when printed, if necessary e.g. for court. Electronic files should only be transferred electronically to other schools/Post

16 providers if there is a secure system in place (such as GCSX). When the receipt has been returned to confirm that the file has been received at the new school, it should be retained by the originating school for 6 years, in line with guidance detailed in Section 3.

Child protection/ safeguarding records may also be recorded on SIMS (School Information Management Systems). All schools have to record whether a child is subject to a Child Protection Plan or if they are a Looked after Child. Additional information can be stored on SIMS but requires schools to use SIMS software to enable them to scan and attach documents onto SIMS. Schools must ensure they make this information confidential by ticking/applying the appropriate privacy settings. An up to date chronology is still required.

## **5. Pupils who are Dual Registered or Educated Off-Site**

Where a pupil is on roll at one school but attends another, the chronology and other relevant information in the child protection/safeguarding file should be copied and passed to the DSL of the other school (Pupil Referral Unit, Academy or other Learning Centre) at the earliest opportunity. Responsibility for maintaining an up to date and complete record remains with the school where the pupil is on roll. Because of the nature of such bespoke arrangements for individual pupils, the two DSLs should agree on how best to communicate to each other significant events and issues in relation to that pupil.

## **6. Storage**

All child protection/safeguarding records are sensitive and confidential so should be kept in a secure (i.e. locked at all times) filing cabinet, separate from other school files and accessible through the DSL, the Deputy DSL and other senior staff in larger schools.

The pupils' general school file should be marked in some way (e.g. red star) to indicate that a child protection/safeguarding file exists (such coding must reflect current circumstances). All staff that may need to consult a child's school file should be made aware of what the symbol means and, to speak to the DSL, if necessary, if they see this symbol and have concerns. For example, if a member of the office staff, who is looking in the main file for a parent's contact details because of an unexplained absence, might decide to report this to the DSL if they see the indicator, in case the absence is significant.

## **7. Retention of Records**

The school should retain the record for as long as the pupil remains in school and then transferred as described above.

Records Management Society guidance states that, when a pupil with a child protection record reaches statutory school leaving age (or where the pupil completed 6<sup>th</sup> form studies), the last school attended should keep the child protection file until the pupil's 25<sup>th</sup> birthday. It should then be shredded or deleted, in the case of electronic files (and a record kept of this having been done, date, and why).

## **8. Access to Child Protection/ Safeguarding Files and Information Sharing**

Any child who has a child protection/ safeguarding file has the right to access their personal record, unless to do so would affect their health and well-being of that or another person, or would be likely to prejudice an on-going criminal investigation.

Parents (i.e. those with parental responsibility in law) are entitled to see their child's child protection /safeguarding file, on behalf of their child, with the same exceptions applying as to the child's right to access.

## **9. Sharing information with Post 16 Providers**

The transfer of child protection/ safeguarding files must continue through to Post 16 Providers. The responsibility for the transfer of records lies with the original setting. When a child transfers to a Post 16 Provider, the DSL should inform the receiving provider within five school days by telephone or in person that a child protection/ safe guarding file exists. The receiving Post 16 provider should routinely ask the previous school if a child protection/ safeguarding file

exists, for all transfers.

#### **10. Transfer of files outside the Bristol Local Authority area containing Domestic Abuse Notifications from Avon and Somerset Constabulary**

Should a child, who has domestic abuse notifications recorded on their child protection/ safeguarding file, transfer to a school, early years setting, Post 16 or other educational provider outside the Bristol Local Authority area, the following statement **must** be sent with the file and **displayed prominently** to ensure staff in the receiving school will be made aware:

**“This file contains Domestic Abuse Notifications that have been shared with a Bristol School, Early Years or Further Education Provider under a joint protocol agreement between Avon and Somerset Constabulary and Bristol Education Providers for the purpose of protecting and supporting children and young people.**

**This information remains the property of Avon and Somerset Constabulary and, as such, must not be shared with any parties without the express permission of the owner. If you need to discuss this further, please contact Bristol Safeguarding Coordination Unit, Tel. 0117 952 9456.”**



## **11. Sources of Further Information**

Children Act 2004

<http://www.legislation.gov.uk/ukpga/2004/31/contents>

Bristol Safeguarding Children Board

[www.bristol.gov.uk/policies-plans-strategies/bristol-safeguarding-children-board](http://www.bristol.gov.uk/policies-plans-strategies/bristol-safeguarding-children-board)

Department for Education

[www.gov.uk/government/organisations/department-for-education](http://www.gov.uk/government/organisations/department-for-education)

Information sharing agreements/ protocols

[www.bristol.gov.uk/page/council-and-democracy/information-sharing-agreements-protocols](http://www.bristol.gov.uk/page/council-and-democracy/information-sharing-agreements-protocols)

Brandon et al (2013) New Learning from Serious Case Reviews: a two year report for 2009-11, DFE

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/184053/DFE-RR226\\_Report.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/184053/DFE-RR226_Report.pdf)

NSPCC National Case Review Repository – Serious Case Reviews

[www.nspcc.org.uk/preventing-abuse/child-protection-system/case-reviews/national-case-review-repository/](http://www.nspcc.org.uk/preventing-abuse/child-protection-system/case-reviews/national-case-review-repository/)

Guidance for safer working practice for those working with children and young people in education settings October 2015 Safer Recruitment Consortium

[www.saferrecruitmentconsortium.org/GSWP%20OCT%202015](http://www.saferrecruitmentconsortium.org/GSWP%20OCT%202015)

South West Child Protection Procedures

[www.swcpp.org.uk](http://www.swcpp.org.uk)

Working Together to Safeguard Children (2015) Department for Education

[www.workingtogetheronline.com](http://www.workingtogetheronline.com)

Keeping Children Safe in Education (2015) Department for Education

[www.gov.uk/government/organisations/department-for-education](http://www.gov.uk/government/organisations/department-for-education)

## Appendix A

### Transfer of Child Protection/Safeguarding Records within Educational Establishments Receipt **(Please print all information)**

Name of Child: .....

Date of Birth: .....

Unique Pupil Number: .....

Unique Learner Number: .....

Name of current school: .....

Address of current school: .....

Name of current Designated  
Safeguarding Lead: .....

Date file exchanged by hand: ..... **OR**

Date file posted by  
recorded delivery: .....

Signature of current Designated Safeguarding Lead

..... Date .....

Name of receiving school/ college: .....

Address of receiving school/ college: .....

Name of receiving Designated  
Safeguarding Lead: .....

Date file received by hand: ..... **OR**

Date received by recorded delivery: .....

Signature of receiving Designated Safeguarding Lead

.....Date.....

**Please ensure this completed form is returned to the originating school without delay. The originating school should keep this receipt securely (see guidance above)**