

**PEMBROKESHIRE COUNTY COUNCIL  
CYNGOR SIR BENFRO**



**GUIDANCE ON THE RETENTION AND  
TRANSFER OF SAFEGUARDING RECORDS  
WITHIN AND BETWEEN EDUCATIONAL  
ESTABLISHMENTS**

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## Pembrokeshire Guidance on the Retention and Transfer of Safeguarding Records within and between Educational Establishments

*Sharing information underpins effective integrated working. Information sharing promotes partnership working across agencies, which is vital in terms of early intervention and improved safeguarding mechanisms.*

The need for robust procedures for the recording and transfer of safeguarding information within and between educational establishments both in and out of county has been highlighted from reviews across Wales. This document aims to provide staff in schools with a guide to the process of recording, storing and transfer of safeguarding information. This document is to be considered alongside:

- *'Educational Records, School Reports and the Common Transfer System –the keeping, disposal, disclosure and transfer of pupil information'*. National Assembly for Wales Circular No: 18/2006 May 2006  
<http://wales.gov.uk/docs/dcells/publications/111023usernotesschoolen.pdf>
- *'Keeping Learners Safe'* Welsh Government Circular 158/2015  
<http://gov.wales/topics/educationandskills/publications/guidance/keeping-learners-safe/?lang=en>
- *'Statutory Guidance to help prevent children and young people from missing education'* Welsh Government Circular 006/2010  
<http://gov.wales/topics/educationandskills/publications/guidance/missingeducation/?lang=en>

High quality, record-keeping is essential in schools. An effective system serves not only to safeguard children, but also to ensure that decision-making is defensible and that schools comply with statutory requirements. Records should include date and time, use straightforward language, be concise and accurate, and differentiate opinion, judgment and fact. Records should 'tell the story of the concerns' and the reader should be able to track:

- the relevant history of the child and family which led to any intervention
- the natures of interventions, including intended outcomes
- the means by which change is to be achieved
- the progress which is being made.

It is important to remember that records are an essential source of evidence for investigations and enquiries and may also be required in court proceedings. It is the responsibility of the school's Designated Senior Person (DSP) to be responsible for and maintain all child protection and safeguarding records. Information relating to individual pupils must be treated as confidential, and only shared with those members of staff who need to see it.

### 1. Opening a Child Protection record

Any concerns about the welfare of a pupil must be brought to the attention of the DSP as soon as possible who will then decide whether the concern constitutes a low-level welfare concern or a high level child protection concern and open the appropriate record. Advice can be sought from the Child Care Assessment Team.

- **High Level Child Protection Concern** requires a child protection referral using an inter-agency referral form to the Child Care Assessment Team, and the opening of a Child Protection file, which would be maintained centrally and securely within the

school. The action taken would need to be recorded on the Child Protection Record of Concern (Appendix 1).

- **Low Level Welfare Concern** would require action taken to be recorded on the welfare concern form (Appendix 2), which will be held either electronically or in the child's general school file.

All schools should operate a system whereby a 'marker' of some description is placed on a pupil's general school file to indicate that this child also has a child protection file held centrally in school by the DSP.

## **2. Formal and Informal Child Protection Records**

The child protection file will contain formal and informal records. It is essential to keep a chronology of all conversations, observations and events, meetings with parents and discussions with children, both formal and informal, at the front of the file. This chronology needs to be updated whenever new information is put in the file. Additional information gained from other professionals working with children/young people should be included within the chronology (Appendix 3 - Child Protection Chronology Template). These can be electronic or paper records. Electronic records should always be stored securely and password protected.

### **(i) Formal Child Protection Records**

Formal records would include:

- Child Protection Interagency Referral Forms irrespective of outcome
- Minutes of Initial & Review Child Protection Conferences and Core Groups
- Reports for Child Protection Conferences
- Strategy meeting minutes

### **(ii) Informal Child Protection Records**

The informal record may include:

- Discussions with parents/carers/children or young people
- Lack of engagement of parents
- Concerns regarding hygiene, clothing, etc.
- Absence from school/fixed term exclusions
- Concerns regarding health - e.g.: frequent illness, untreated head lice
- Missed health appointments
- Concerns regarding diet - e.g.: hungry, over/under weight
- Poor peer relationships/ Low self-esteem leading to bullying
- Behavioural concerns
- Referrals to other agencies – i.e.: Team Around the Family(TAF)/Sure Start, etc.

## **2. Access and Storage of Child Protection Files in school**

Well-kept records are essential to good safeguarding practice and all staff must be clear about the need to record and report concerns. Safeguarding records must be stored securely, with access confined to the Designated Senior Person, the Headteacher and other senior relevant staff.

The DSP will need to make a judgement<sup>1</sup> on a child by child basis about which staff in school need to know precisely what, and for what purpose. Generally speaking, the closer

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<sup>1</sup> Essentially, if someone receives information in his/her professional capacity and the person sharing it believes it will be treated securely, and that belief is reasonable, then the recipient of the information will be under a duty to treat it securely.

the day-to-day contact that someone has with a pupil the more likely they need to know the outline of the concerns/situation.<sup>2</sup>

#### 4. Subject Access Requests

Under S.7 of the Data Protection Act, an individual has the right to access their own personal data which is being held and/or processed by an individual school or the Local Authority.

There are two distinct rights to information held about pupils by schools. They are:

1. **The pupil's right of subject access under the Data Protection Act and;**
2. **The parent's right of access to their child's 'educational record'.**

1. The right to access information that is being processed by the school about a pupil is the pupil's right i.e. this information should only be shared with a parent or legal guardian if the child has given informed consent or, the child is unable to act on their own behalf. *NB: as a general rule any child over the age of 12 is usually able to give their consent but professionals will need to take a view about the child's level of maturity and their ability to make a decision about how their information is shared.*
2. If a pupil is attending a school at the time of the request then a parent can request to access a copy of their 'educational record' without the child's consent. 'Education records' cover information such as the records of the pupil's academic achievements as well as correspondence from teachers, local education authority employees and educational psychologists engaged by the school's governing body. It may also include information from the child and from their parent or guardian.

Advice about subject access requests which relate to sensitive, personal information should always be sought from Pembrokeshire County Council (PCC) Legal Department or the Information Governance and Complaints Team **before** any information is disclosed. **Formal Child Protection Records cannot be shared without the consent of the Chair of the Child Protection Conference.**

Advice should be sought from Legal Department to ensure ***the sharing of any sensitive information will not pose or increase any risk of abuse or harm to the child/young person.***

#### 5. Retention of Child Protection Records

Informal Child Protection Records must be kept securely until the pupil's 25<sup>th</sup> birthday, after which they should be shredded. Schools can use the Authority's Records Management Service when the child leaves full time compulsory education if required. Formal Child Protection Records should be shredded when the child leaves full-time compulsory education. **(NB: these records will be retained by Children's Services within the Local Authority for 75 years.)**

#### 6. Transfer of Information (see Appendix 5)

When children and young people transfer schools/learning centres, their records must be transferred.

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<sup>2</sup> All such information sharing must comply with the requirements of the Data Protection Act 1998 and Human Rights Act 1998. Namely, sensitive information must be recorded accurately; it should be relevant, kept up to date and secure and shared on a 'need to know' basis only.

If a child is on the Child Protection Register at the time of transfer, both formal and informal records should be transferred. Permission needs to be sought from the Chair of the Child Protection conference to transfer formal child protection records.

The Child Protection records should be transferred separately and directly to the relevant member of staff in the receiving school. It is important that the DSP from the host school **makes direct contact** with the DSP in the receiving school to ensure the correct details for transfer and share any upcoming dates of meetings etc.

A copy of the child protection file should be retained by the host school and shredded when confirmation it has been received from the receiving school. Any records that are transferred electronically should be sent only between secure establishment email addresses.

The Child Protection Transfer Form (Appendix 4) should be completed by the DSP of the host school. A copy should be retained by the receiving school. The receiving school needs to confirm in writing to the host school receipt of the Child Protection file. A copy of the form is to be completed for each child within the family.

If a child with a Child Protection file moves out of the authority and the receiving school's identity is not known, the DSP should contact the Manager of the Child Care Assessment team.

***Direct Contact between the two schools is vital if children are moving between authorities***

- If a child is no longer on the Child Protection Register, then the formal Child Protection records should be shredded and the informal Child Protection records transferred.

## Appendix 1

### CHILD PROTECTION RECORD OF CONCERN

Please ensure that this form **is given** the Designated Senior Person (DSP) **immediately**. If that person is not available, **give it** to their deputy or your line manager.

If senior staff are not available, **you must** contact the Child Care Assessment Team directly to discuss the concern.

If you do not have certain information, **do not delay** taking this action.

#### School:

Child's name: Date of birth: Year group/class:
Date and Detail of concern/incident: (including what the child said in their own words if relevant)
<b>ACTION</b> (e.g.: informed DSP; contacted Child Care Assessment Team – 01437 776444):
Is the child looked after by the local authority (LAC)? Who has parental responsibility? Is the child on the Child Protection Register (CPR)? Does the child have additional learning needs (ALN)? Does the child require language support in order to converse (EAL)? Is the child receiving a service from Team Around the Family (TAF)? Please specify.
Details of any siblings and school they attend (if known):
Member of staff with the concern: Position/designation:
Member of staff completing form: Position/designation: <span style="float: right;">Date:</span>

## Appendix 2

### SCHOOL WELFARE CONCERN FORM

*Use this form to record any concern about a pupil's welfare and give it to the Designated Senior Person.*

*If you suspect the pupil may be suffering abuse or neglect, or you have received a disclosure of abuse from a pupil, or you have heard about an allegation of abuse, you **must** complete the Child Protection Record of Concern form instead and hand it to the Designated Senior Person **today**.*

#### School:

Child's name: Date of birth: Year group/class:
Date of Concern:
Details of Concern:
Actions Taken:
Member of staff completing form: Position/designation: <span style="float: right;">Date:</span>

**Appendix 3**

**SCHOOL CHRONOLOGY**

**Name of School:**

**Name of Child:**

**Date of Birth:**

<b>Date</b>	<b>Name &amp; Designation</b>	<b>Event/Incident</b>	<b>Intervention/Response/Action by school</b>	<b>Source of information</b>

**Appendix 4**

**CHILD PROTECTION - TRANSFER FORM**

**School name:**

**Headteacher :**

PUPIL:	DOB:
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ADDRESS:
TEL: NUMBER:

DATE RECORD ENDED AT THIS SCHOOL:
NEW SCHOOL (address and tel; number):
DATE NEW SCHOOL WAS CONTACTED?

NAME AND DESIGNATION OF PERSON CONTACTED AT RECEIVING SCHOOL:
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CHILD PROTECTION REGISTER INFORMATION
Date of registration:
NEGLECT <input type="checkbox"/> EMOTIONAL <input type="checkbox"/> PHYSICAL <input type="checkbox"/> SEXUAL <input type="checkbox"/>

PERMISSION TO SHARE CHILD PROTECTION RECORDS GRANTED BY THE CHILD PROTECTION CHAIR?
YES <input type="checkbox"/> NO <input type="checkbox"/>

DETAILS OF PERSON COMPLETING THIS FORM:
Name:
Designation:
Signature: <span style="float: right;">Date:</span>

FORM SENT TO:
Name:
Designation:
Name of school: <span style="float: right;">Date:</span>

Written receipt received from: <span style="float: right;">on:</span>
Written receipt attached:    YES <input type="checkbox"/> NO <input type="checkbox"/>

Appendix 5

TRANSFER OF CHILD PROTECTION RECORDS BETWEEN SCHOOLS

(NB: There must be a separate child protection file and child protection transfer form for each child in the family)

