

Education
Management Circular No 57

January 2007

To Heads of all educational establishments

Dear Colleague

CHILD WELFARE AND SAFETY

The revised Management Circular 57 now titled Child Welfare and Safety (May 2006) reflects the adoption of the general principles within "It's Everyone's Job" (2002); "Safe and Well" (2005) and the implications of the establishment of New Learning Communities and Community Health and Care Partnerships (2006).

The Management Circular provides guidelines for policy and practice within every local authority managed provision to secure the care and welfare of all children and young people and to ensure an appropriate response when there is concern for the immediate wellbeing of an individual child or young person. It has been drawn up in consultation with partner council services and independent agencies under the auspices of the Child Protection Committee. **This updated Management Circular 57 is now to be used by all establishments and services.**

Head Teachers and other senior managers should ensure that they are fully conversant with the guidance on the single agency referral form and the levels of communication with the department (Appendix 2).

It is the responsibility of all heads of establishment and service managers within Education Services to ensure that all staff are fully conversant with Management Circular 57 and reflect the principles of the circular in their regular practice. In addition to the guidance within the Management Circular, staff should also have easy access to and be familiar with other key documents such as "It's Everyone's Job"; "Safe and Well" and "Happy, Safe and Achieving their Potential".

Staff should also be advised that outwith these specific procedures recourse to the Reporter remains as an option where there is significant enough concern to prompt the consideration of statutory measures.

Yours sincerely



RONNIE O'CONNOR
Executive Director (Education, Training and Young People)

MANAGEMENT CIRCULAR 57: CHILD WELFARE AND SAFETY

1. GENERAL CONTEXT

- 1.1 Education Services, in all aspects of its operation, has a fundamental duty to contribute to the care and safety of all children and young people.
- 1.2 In fulfilling this duty it must engage in close partnership with parents/carers and relevant agencies, primarily Health and Social Work Services (within the framework of the CHCP structure) and the Scottish Children's Reporters Administration (SCRA).
- 1.3 This partnership will be reflected in a range of activities at individual child level; within the establishment or school and increasingly within the context of New Learning Communities and Community Health and Care Partnerships (CHCPs).
- 1.4 The Management Circular addresses the procedure to be undertaken when there are ongoing concerns related to the care and welfare of a child or the potential of risk to their wellbeing and safety.
- 1.5 **The Management Circular must be brought to the attention of all staff on an annual basis.**
- 1.6 **The summaries of procedures (Appendices 1 and 2) must be visibly displayed in all staff bases and the school/establishment office.**
- 1.7 **It is the responsibility of all staff to report concerns as defined in section 8 to the appropriate member of the establishment senior management team.**

2. PROFESSIONAL COMMITMENT

- 2.1 All Education Services staff must:
 - share information on an inter-agency basis which is of benefit to a child's wellbeing;
 - focus on preventative, early intervention strategies;
 - contribute to a proactive school and establishment ethos which seeks to minimise the risk of harm;
 - respond effectively and timeously to any concerns, especially of imminent risk to a child;
 - ensure they are fully conversant with Management Circular 57 and their related responsibilities.
- 2.2 All establishments and schools should operate within a good practice framework which reflects:
 - a high profile of inclusion, equality, fairness and openness;
 - clear understanding amongst all staff of the commitment to fostering the general wellbeing of all children and young people;
 - the active involvement of the child or young person (and parents and carers) as appropriate when arrangements relating to their care and support are being considered;
 - an empowered pupil council which has an influential role in how the school delivers on the rights of children to be protected;

- strong pastoral care systems which are alert and responsive to early signs of need;
- robust internal referral systems from staff to senior management, supported by consistent recording and monitoring systems;
- the proactive role of the Head of Establishment in ensuring robust case management of those children and young people whose presenting profile requires a higher level of response from Education Services, Social Work Services and Health – as relevant to the agreed responsibilities of Education Services within the support plan;
- the proactive role of the Child Protection Co-ordinator in ensuring appropriate CPD opportunities are undertaken by all staff.

3. EXTERNAL MONITORING PROCEDURES

3.1 The Education Improvement Service (EdIS) has a key role through the Establishment Review process to monitor the delivery of policy and general adherence to Management Circular 57.

Establishments must ensure they can evidence the following:

- Management Circular 57 has been brought to the attention of all staff on an annual basis.
- All staff have received a copy of the staff guidance within Safe and Well which summarises staff responsibilities.
- The summaries of Procedural Action Steps and the Reporting Process are prominently displayed within establishments. (Appendices 1 and 2).
- Establishment handbooks contain the authority summary on Child Welfare and Protection which is also on public display.

3.2 The Adviser in Pastoral Care and the Principal Officer (SEN) have a specific responsibility to ensure that Heads of Establishment and the nominated Child Protection Co-ordinator in each school or establishment are adequately trained in the contents of Management Circular 57 and related developments.

3.3 The Depute Director (Planning and Performance) and the Head of Service (SEN) have senior officer responsibility and will sit on the Child Protection Committee.

3.4 Education Services will have a standing departmental Child Protection Management Group, chaired by the Head of Service (SEN) and attended by the Depute Director, Principal Officer (SEN) and Adviser in Pastoral Care.

The group will monitor the quality of referrals to Social Work Services and address any poor practice with the Child Protection Co-ordinator.

3.5 As with all Management Circulars failure to comply with the procedures may result in disciplinary action.

4. INTERNAL MONITORING PROCEDURES

4.1 Every Pre-5 establishment, primary and secondary mainstream school and all specialist provision and peripatetic services will have a member of the senior management team nominated as Child Protection Co-ordinator.

* Depending on the size of the senior management team, the role of Child Protection Co-ordinator may be undertaken by a member of the senior management team other than the head of establishment, unit co-ordinator or service manager. The head or unit co-ordinator does, however, as with all delegated duties, have the ultimate responsibility to ensure effective practice.

- 4.2 The Child Protection Co-ordinator will ensure that all staff are fully briefed on Management Circular 57, with a minimum of an annual review of policy and practice to ensure compliance with the Management Circular.
- 4.3 The Head of Establishment will be responsible for ensuring that the appropriate procedures are followed in the event of concerns regarding a child's general welfare or evidence of the risk of immediate danger to them.
- 4.4 The Head of Establishment will also provide direct advice and support to staff members who are involved in working with the child.
- 4.5 The Head of Establishment will also be the key link person with associated agencies and ensure that the child's support plan is appropriately addressed by school or establishment staff and closely monitored and reviewed.

5. REFERRAL AND RECORDING PROCEDURES

- 5.1 The vast majority of children and young people will have their development needs well met within a robust environment which promotes the rights of children to be:
 - helped when they need it;
 - listened to;
 - afforded privacy when required;
 - confident in the adults who work with them.
- 5.2 There are however vulnerable children who will require a more intense response to their needs, which in some cases may require a co-ordinated response from other agencies.
- 5.3 These heightened needs will fall into two broad categories:
 - suspicion of child welfare issues
 - suspicion of risk of harm
- 5.4 Members of staff should complete Appendix 3 when alerting the head teacher or head of establishment to concerns.
- 5.5 It is the responsibility of the Head of Establishment to assess the level of risk and refer the child to Social Work Services if considered appropriate.
- 5.6 The standard referral form (Appendix 4) should be used on every occasion. This form will be used by all Council Services and Health.
- 5.7 The referral form does not require a distinction to be drawn between care and welfare and protection (immediate risk). Social Work Services will take that decision based on the information provided by the referring agency and other relevant knowledge Social Work Services hold on the case.
- 5.8 In all cases the Head of Establishment should contact the local Practice Team Leader at SWS directly and advise on grounds for referral, in addition to sending in the referral form to Social Work Services (Appendix 4).

- 5.9 A copy should be held in the child/young person's file.
- 5.10 If the child or young person is already on the Child Protection Register; Looked After or Looked After and Accommodated or has significant additional support needs (Special Educational Needs) a copy of the referral form should also be submitted to the Executive Director (Education, Training and Young People).
- 5.11 In all cases Appendix 5 should be forwarded to the department. The ASL section will log all referrals and alert psychological services as appropriate.
- 5.12 Social Work Services will determine the action to be taken following a formal referral and confirm their decision and action taken in writing to the Head of Establishment within 5 working days of the original referral.
- 5.13 It is not the responsibility of Education Staff to investigate suspicions or disclosures.
- 5.14 Heads of Establishment should forward Appendix 6 to the Executive Director (Education, Training & Young People) to advise, in summary form, on the response from Social Work Services.
- 5.15 Depending on the outcome of the referral to Social Work Services Psychological Services may also be involved in the subsequent pupil support plan.
- 5.16 Where there are concerns related to risk of abuse or wilful neglect, educational personnel cannot respect confidentiality. This should be carefully explained to the child or young person and that the member of staff is acting in their best interest. This should be highlighted in the school policy on Child Protection.
- 5.17 Where there is any concern related to the conduct of a member of staff immediate contact must be made with the Head of Establishment.
- 5.18 Where a member of staff has concerns related to the conduct of the Head Teacher or Head of Establishment, immediate contact should be made with the Pastoral Head of Service.
- 5.19 Where a child exhibits an injury or is the victim of an assault emergency services should be contacted immediately.

6. ENGAGEMENT WITH PARTNER PROVIDERS

- 6.1 It is the responsibility of the Head of Establishment to ensure that any organisation or service engaged directly by schools and external to Education Services is:
- a. fully briefed on Management Circular 57 and
 - b. has clear procedures and training in place to ensure the care and safety of children and young people with whom they are working.
- 6.2 The Head of Service (SEN) and the Principal Officer (SEN) will ensure that all authority engaged providers, including partnership nurseries and FE colleges will be provided with a copy of Management Circular 57.
- 6.3 The ultimate responsibility however for any child or young person on the establishment roll lies with the head teacher and he or she must be satisfied that there are clear and unequivocal lines of communication between the establishment and partner providers where concerns are raised in respect of Management Circular 57.

7. ENGAGEMENT WITH PARENTS AND CARERS

- 7.1 Partnership with parents and carers is best practice.
- 7.2 Where concerns relate to ongoing welfare issues eg physical neglect, Heads of Establishment should already be collaborating with parents and advise them of their intention to refer the matter to Social Work Services.
- 7.3 In the context however concerns about significant risk or safety in the home setting heads of establishment should make a direct referral without reference to the parent.
- 7.4 Staff must also respect the views of the child or young person in relation to confidentiality, in so far as they do not compromise the safety of the child or young person.

8. DEFINITIONS

These are taken from the referral form to Social Work Services to be used in all cases

Suspicion/risk of	Suspicion/risk of (factors relating to the child)	Suspicion/risk of (factors relating to parents/carers)
Physical injury Emotional abuse Physical neglect Non-organic failure to thrive Sexual abuse	Absconding Child Safety Education Emotional care/development Health - illness/disability Outwith parental control Physical care/neglect Self harm Sexual exploitation Offender behaviour Substance misuse Other (Please Specify Below)	Alcohol abuse Asylum seekers/refugees Domestic abuse Drug abuse Housing/accommodation Learning disability Mental illness Parenting Physical illness Poverty/financial Other (Please Specify Below)

9. CONFIDENTIALITY

- 9.1 All children and young people are entitled to have matters treated in confidence.
- 9.2 Where there is no risk to wellbeing establishments should respect that request.
- 9.3 Children and young people should be advised that there is no guarantee to confidentiality where the school assess them to be at risk.
- 9.4 Children and young people who are looked after and accommodated have the same rights to confidentiality with the same caveats in respect of assessed risk.
- 9.5 This applies also where underage pregnancy is involved. In those instances where there are no concerns related to the child or young person's welfare the school should exercise its regular pastoral care responsibilities, including notifying the department.

10. CONTINUOUS PROFESSIONAL DEVELOPMENT

- 10.1 It is the responsibility of all staff to ensure they are fully conversant with the Management Circular and associated CPD materials.
- 10.2 Child Protection Co-ordinators have a key role in facilitating access to appropriate complementary documentation and literature for all staff, including students and supply staff.
- 10.3 Child Protection Co-ordinators will receive a biannual input on MC57 and related matters. This will be delivered by the Principal Officer (SEN) in collaboration with EdIS.
- 10.4 Heads of Establishment will be routinely advised of any emerging developments.

11. KEY REFERENCE DOCUMENTS AND APPENDICES

- 11.1 To supplement the guidance and procedural action in Management Circular 57 there are a number of documents which should be strongly publicised within establishments and schools.
- 11.2 Familiarisation with these documents is recognised both as an essential requirement and a continuous professional development activity which will assist education staff to fulfil their contractual and council priority responsibilities.
- 11.3 The Key Reference documents include:
 - Child Protection: A Shared Responsibility SEED Guideline 1999
 - Children Scotland Act 1995
 - Standards In Scotland's Schools etc Act 2000
 - Additional Support for Learning Act 2004
 - Safe and Well 2005
 - National Framework for Standards 2004
 - It's Everyone's Job 2002
 - Happy, Safe and Achieving their Potential 2005
 - Hidden Harm 2004 and 2006
- 11.4 Appendix 7 covers additional guidance and information on
 - Grounds for concern
 - Subsequent action
 - Management of information
 - Other services' responsibilities
 - Legal context and definitions

Management Circular 57 Appendices

- 1 : Summary of Referral Procedures : Public Display
- 2 : Summary of Reporting Procedures : Public Display
- 3 : Record of Concern Alert : Pupil File
- 4 : Single Agency Referral Form + Guidance Notes : Management Circular 57
- 5 : Notification of Referral to Executive Director (Education, Training & Young People) : Pupil File
ASL
- 6 : Notification of Outcome of Referral to ASL : Pupil File ASL
- 7 : Additional Guidance and Information : Management Circular 57 School Policy
- 8 : Wheatley House Recording Form : Management Circular 57

<p style="text-align: center;">CHILD WELFARE AND PROTECTION SUMMARY OF REFERRAL PROCEDURES</p>
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FOR ALL STAFF

If you have concerns about a child's welfare or direct evidence or suspicion of a child being at risk then the only way you can protect the child or children is to report the matter. Whether you are a permanent member of staff, a supply teacher or a visiting specialist you should intimate your concerns to the head of establishment or, in their absence the senior member of staff.

STEP 1 *Alert the head or senior manager immediately to your concerns. Confirm your report by completing Appendix 4 as soon as possible and at the latest within 24 hours and forward it to the head of establishment.*

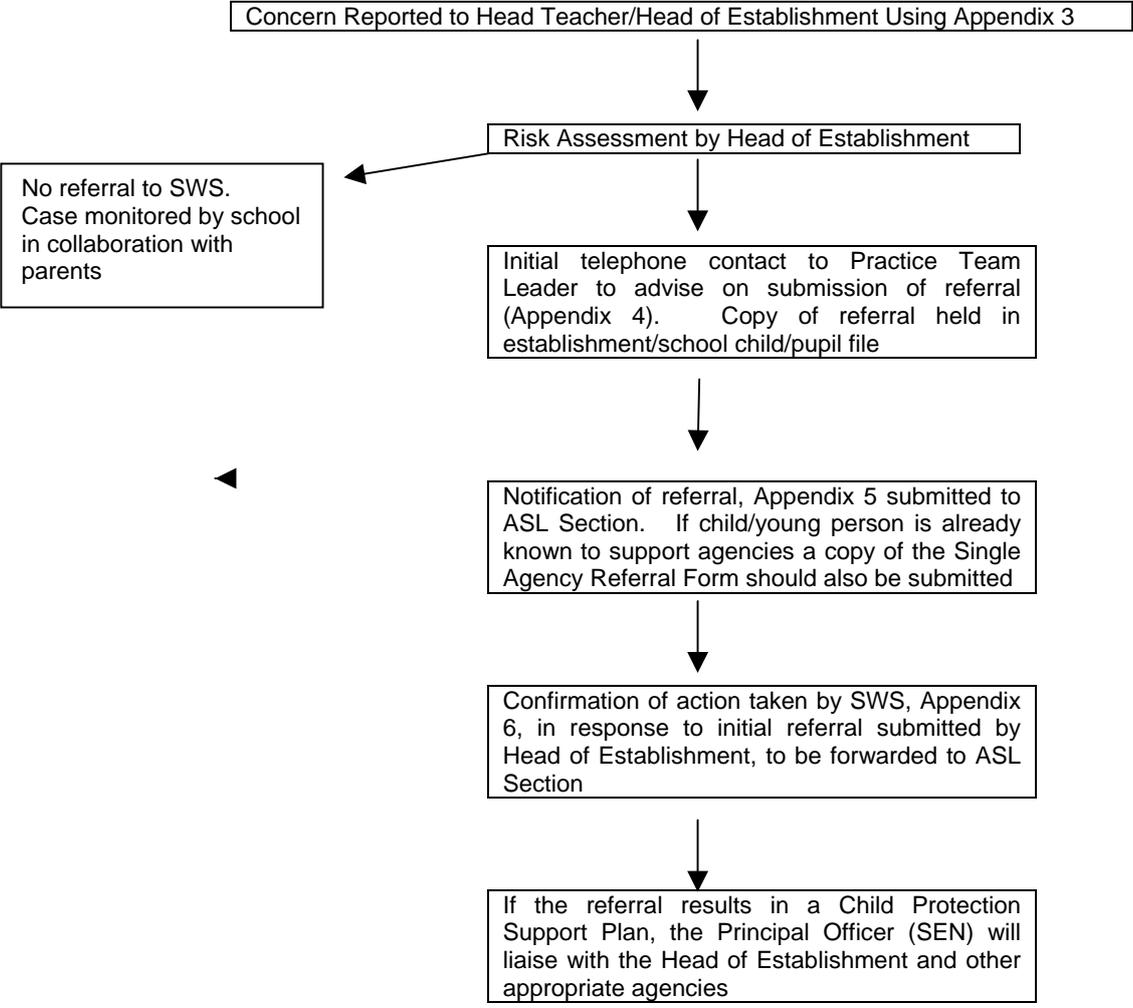
STEP 2 *Follow the guidance of the head of establishment or senior manager in supporting the child and co-operating with subsequent actions by Social Work and Police.*

In exceptional cases, where a member of staff feels that concerns about a child are not being taken seriously or followed through appropriately or with sufficient speed by the head of the establishment, it is perfectly legitimate for a member of staff to refer the matter to the designated Child Protection Officer within Education Services or direct to Social Work Services, the police, or the Scottish Children's Reporter Administration.

SUMMARY OF REPORTING, RECORDING & MONITORING PROCEDURES

A concern prompted by any of the following should be reported in accordance with the stated procedures outlined below:

- a specific incident
- a disclosure made by a child or parent/carer
- information from a third party
- adult behaviours/circumstances that may place the child at risk of harm
- child behaviours/circumstances that may place the child at risk of harm
- a culmination of minor concerns over a period of time



The ASL Section will monitor all referrals and provide termly reports to the Department Child Protection Group. The reports will also inform returns to the Child Protection Committee

**GLASGOW CITY COUNCIL
EDUCATION SERVICES**

RECORD OF CONCERN ALERT

This recording document must be completed by any member of Education staff following a report of a concern to the head of the establishment within 24 hours of the alert. The document will be held in the child or young person's file.

DATE OF ALERT TO SENIOR MANAGEMENT _____

SENIOR MANAGER TO WHOM IT WAS REPORTED _____

NAME OF CHILD/YOUNG PERSON _____

- SOURCE OF CONCERN:
- a. Personal observation
 - b. Reported by child
 - c. Reported by another source Please specify _____
 - d. Telephone call Please specify _____

Give brief details

Signed:	Date:
Post:	

MANAGEMENT CIRCULAR 57
SINGLE AGENCY REFERRAL FORM
GUIDANCE NOTES

The Single Agency Referral Form has been agreed by the Child Protection Committee and must be used in all cases where a school has cause for concern related to the ongoing welfare or immediate risk to a child.

The Head Teacher/Head of Establishment has responsibility for ensuring that the documentation is accurate.

Following the immediate phone call to the Social Work Team Practice Team Leader the Referral Form should be submitted, irrespective of the outcome of that discussion. It is assumed that having made a risk assessment at the point of the in-house referral, the Head Teacher or Head of Establishment has deemed the circumstances serious enough to initiate procedures under Management Circular 57.

Social Work Services will take the decision on how best to proceed given all the known circumstances and determine whether it is an immediate child protection response or review of current care and welfare arrangements for the child. Education Services will engage as appropriate (this may also involve Psychological Services and other Education Service personnel depending on the individual case).

In completing the form schools/establishments should only address those sections which are relevant to Education Services.

Where a child/young person has significant additional support needs (RON/ASP/CSP) or is Looked After/Looked After and Accommodated or already on the Child Protection Register a copy of the referral should be submitted to the Executive Director (Education, Training & Young People) with Appendix 5.

A copy of the Acknowledgement of the Referral to Social Work Service should be forwarded to the ASL Section on receipt from Social Work Service (this should be within 5 working days of the original referral) with Appendix 6.

Where Social Work Services enact Child Protection measures as a consequence of an MC 57 referral the Principal Officer (SEN) will maintain contact with the establishment/school and Social Work Services. The Head of Establishment/Head Teacher is responsible however for ensuring that the department is kept fully updated on developments.

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EDUCATION SERVICES**

MANAGEMENT CIRCULAR 57

**Intimation of Concern Referral to
Executive Director (Education, Training & Young People)**

School/Establishment _____

Child/Young Person's Details Name _____ DOB _____

Date of Referral to SWS _____

Summary of Concerns

Suspicion/risk of	Suspicion/risk of (factors relating to the child)	Suspicion/risk of (factors relating to parents/carers)
Physical injury <input type="checkbox"/>	Absconding <input type="checkbox"/>	Alcohol Abuse <input type="checkbox"/>
Emotional abuse <input type="checkbox"/>	Child Safety <input type="checkbox"/>	Asylum Seekers/Refugees <input type="checkbox"/>
Physical Neglect <input type="checkbox"/>	Education <input type="checkbox"/>	Domestic Abuse <input type="checkbox"/>
Non-organic failure to thrive <input type="checkbox"/>	Emotional Care/Development <input type="checkbox"/>	Drug Abuse <input type="checkbox"/>
Sexual Abuse <input type="checkbox"/>	Health – Illness/Disability <input type="checkbox"/>	Housing/Accommodation <input type="checkbox"/>
	Outwith parental control <input type="checkbox"/>	Learning Disability <input type="checkbox"/>
	Physical Care/Neglect <input type="checkbox"/>	Mental Illness <input type="checkbox"/>
	Self harm <input type="checkbox"/>	Parenting <input type="checkbox"/>
	Sexual Exploitation <input type="checkbox"/>	Physical Illness <input type="checkbox"/>
	Offender Behaviour <input type="checkbox"/>	Poverty/Financial <input type="checkbox"/>
	Substance Misuse <input type="checkbox"/>	Other (please specify below) <input type="checkbox"/>
	Other (please specify below) <input type="checkbox"/>	

Date submitted to ASL Section _____

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EDUCATION SERVICES**

MANAGEMENT CIRCULAR 57

Intimation to Executive Director (Education, Training & Young People)

Notification of Outcome of Referral to Social Work Services

School/Establishment _____

Child/Young Person's Details **Name** _____ **DOB** _____

Date of Referral to SWS _____

Date of Confirmation of Outcome _____

Current School/Establishment Action _____

Anticipated Ongoing Involvement

Action (In Brief)	Timescale	Personnel

Date forwarded to the ASL Section _____

Management Circular 57

**Additional Guidance and
Information**

Grounds for Concern

A member of staff must alert the head of establishment or senior manager on the premises if

- a specific incident
- a disclosure made by a child or parent/carer
- information from a third party
- adult behaviours/circumstances that may place the child at risk of harm
- child behaviours/circumstances that may place the child at risk of harm
- a culmination of minor concerns over a period of time

The definitions in Section 8 of MC57 should be used as terms of reference.

Subsequent Action

If, following a referral Social Work Services deem it appropriate to draw up a support plan, education staff will

- Contribute to the planning process
- Co-operate with multi-agency monitoring and review procedures as relevant to their areas of responsibility
- Continue to monitor the child or young person's well being in the context of regular pastoral care procedures

Management of Information

Education staff will ensure meticulous record keeping of all child welfare and child protection concerns. The initial intimation of concern will be recorded on Appendix 3, and held in the pupil file.

Heads of Establishment will ensure that all relevant parties, including parents and carers as appropriate, will be kept fully informed of all associated developments which relate to the child or young person.

The ASL section will log all Notifications of Concern (Appendix 4) and Notification of Outcome (Appendix 5) and retain copies of all MC57 referrals of children and young people who have significant additional support needs, who are Looked After/Looked After and Accommodated or are already on the Child Protection Register and cross reference them with any other documentation held on the child or young person. Any additional information will be forwarded to Social Work Services.

Any information or alert received by staff in Education Services Headquarters will be reported through Appendix 5.

Other Service Responsibilities

Where visiting specialists to an establishment have a concern regarding either the care and welfare or protection of a child or young person this should be raised with the head of establishment or senior manager and recorded on Appendix 6, a copy of which should also be held on file by their direct line manager.

Psychological Services will not be automatically advised of a MC57 referral but will be involved, if appropriate, in the delivery of the support plan. If the child or young person is known to Psychological Services, the ASL Section will advise the Area Principal Psychologist of the referral.

Legal Context and Definitions

In fulfilling their roles and responsibilities in child protection, education staff need to be aware of the legal context of child protection.

- It can involve prosecution in the criminal courts in pursuit of the public interest.
- Child abuse is the concern of the child protection system
- It can involve the Children's Hearing acting to protect a child in the absence of criminal prosecutions or convictions.

There are two separate legal processes involved when abuse is suspected. Child abuse is a criminal offence and a police investigation may lead to the prosecution of the alleged offender. In this circumstance abuse must be proven "beyond reasonable doubt". Child abuse is also the concern of the child protection system which is the responsibility of the Children's Hearing System rather than the criminal courts. The aim of the child protection system is not to punish but to protect and promote the wellbeing of children. In these circumstances proof must be established "on the balance of probability". This means that the Children's Hearing can take action to protect children even when no prosecution is initiated or no conviction is obtained. The Children's Hearing System is administered by the Scottish Children's Reporter Administration.

Child abuse has three main elements and all must be present before an act or omission can be defined as abusive or presenting future risk to the child:

- there must be demonstrable damage or harm to a child or a prediction of harm to the child;
- the injury/state of the child must have been avoidable through action of the parents or carers responsible for that child;
- The potential harm or future risk is linked to the action or the inaction of the parent or carer.

GLASGOW CITY COUNCIL
 EDUCATION SERVICES
 WHEATLEY HOUSE STAFF

RECORD OF CHILD CARE AND WELFARE/PROTECTION INVOLVEMENT

This recording document must be completed by any member of staff within Wheatley House who is involved in a discussion with a pre-5 establishment, school, member of the public, parent or other agency/service in respect of a child care and welfare or child protection issue. The document should be completed timeously (and no later than 24 hours after the contact) and forwarded to the ASL Section for logging and filing. The ASL Section will forward the information to the appropriate officer. Direct advice on the reported concern would be appropriate only from a member of the directorate, an adviser or a Principal Officer SEN.

DATE OF CONTACT _____ STAFF MEMBER _____

CONTACT DETAILS: TELEPHONE IN PERSON BY LETTER

CHILD DETAILS NAME _____ DATE OF BIRTH _____

ESTABLISHMENT/SCHOOL/OTHER _____

ADDRESS _____

REFERRER DETAILS _____

NATURE OF CONCERN _____
