Preventing Extremism & Radicalisation

The ‘Prevent’ duty:

All education settings must try to prevent children and young people from being drawn into extremism and/or terrorism, whilst carrying out your usual educational functions.

Extremism is defined as:

Opposition to fundamental values, e.g. democracy, law, liberty, respect & tolerance of other faiths & beliefs; that can be used to sow division on the basis of race, faith, denomination; to justify discrimination towards women and girls; persuade others that minorities are inferior etc.

It includes e.g. far right views, animal rights activism and religious fundamentalism.

- Protecting students from these risks is similar to protecting them from harm and abuse.
- The Prevent programme must not involve any covert activity against people or communities.
- However, specified authorities may need to share personal information, e.g. to ensure that a student who is at risk of radicalisation is given appropriate support.

Factors making students vulnerable include:

- Pressure from peers & others or the internet
- Crime against them or involvement in crime
- Anti-social behaviour and bullying
- Family tensions
- Race or hate crime
- Lack of self-esteem or identity
- Personal or political grievances

Signs to look out for include:

- Isolation
- Fixation on an ideology/belief/subject
- Sense of injustice/grievance
- Subjected to group influence/control
- Seeking identity/meaning/belonging
- ‘Them’ and ‘us’ perspective on situations
- Attitudes that justify offending etc.

If you think a student might be at risk:

- Inform your DSL/D immediately
- The DSL/D can assess the needs of the student & their family with an Early Help Assessment (EHA)
- The student & their family can be supported within school & a ‘team around the family’ meeting
- If the concern is serious or immediate, the DSL/D will refer this straight away to Children’s Social Care. If necessary, the Police & other agencies will be involved
- Where necessary, accessing additional support to reduce vulnerability through the Channel Programme will be considered

Education settings should ensure that:

- They are alert to changes in behaviour which may indicate that a student needs help or protection
- They discuss & challenge ideas via the curriculum, debates, outside speakers, etc.
- They have clear procedures in place to assess & protect students at risk
- Designated Safeguarding Leads & Deputies:
  - undertake mandatory ‘Workshop for Raising Awareness of Prevent’ (WRAP) training
  - provide briefings, awareness, advice and support to staff & volunteers
- Students are safe from terrorist & extremist material when accessing the settings internet
- They give a proportionate response to this risk
- They work with all services, e.g. Youth Justice, Social Care, & Community Youth Teams, to ensure the welfare of students, staff & visitors.

‘Prevent’ does not:

- Stop students from debating ‘risky’ issues
- Require staff to intrude unnecessarily into family life
- Override your legal duties of ensuring freedom of speech within legal boundaries

Be careful that you do not stereotype – any group or community can be drawn to extremist ideas & put a child or young person at risk.

‘Prevent’ Single Point of Contact:

Hannah Appleyard, Tel: 0114 2734850

Anyone can report a concern in confidence to:

Police Prevent Team: Tel: 0114 2523217 (8-4PM)
Out of hours: 101, or in an emergency 999
Email: Prevent@southyorks.pnn.police.uk

Useful resources:

- Prevent Duty Guidance, DfE 2015
- Keeping Children Safe in Education, DfE 2018
- ACT campaign (including Education resources)
- Terrorism Act 2000
- Channel Guidance, HO 2015
- SSCB Child Protection & Safeguarding Procedures
Private fostering is defined as an arrangement that is made privately without the involvement of the local authority.

It applies to the care of a child under the age of 16 (or under 18 if disabled) by someone other than a parent or close relative, for 28 days or more (including occasional short breaks).

A ‘close relative’ is a grandparent, brother, sister, aunt or uncle, step-parent, whether of ‘full blood’ or ‘half-blood’ or by marriage/civil partnership.

A ‘private’ foster carer can be:

- Extended family e.g. a cousin or great aunt
- A friend of the family
- The parent of a friend of the child
- Someone unknown to the child or young person’s family

How is responsibility shared?

- The private foster carer is responsible for providing day-to-day care of the child or young person & promoting & safeguarding their welfare
- Private foster carer’s rights come from the voluntary agreement made with the parent
- Responsibility for safeguarding and promoting the child or young person’s welfare remains with the person(s) with parental responsibility.

‘Private’ foster carers may be entitled to support and financial help.

The Sheffield Families Adopters and Carers Team (FACT) will assess the arrangement to see what is in the best interests of the child, including:

- listening to what the child wants
- arranging support for the child and the carer
- helping carer to apply to be a private foster carer
- ensure that the child’s cultural, linguistic and religious needs are being met
- undertake regular visits to see the child & carer
- signpost to other agencies as necessary

If they think the arrangement is unsuitable they will decide what action to take to safeguard the child’s welfare.

Host families:

If your setting arranges for students under16 (under 18 if disabled) to live with a UK host family for 28 days or more e.g. as part of a school trip or exchange programme, this will be considered as a “private fostering” arrangement.

The Children Act 1989 places a duty on:

- Parents
- Any person who proposes to privately foster a child under 16 years old
- All professionals involved (including education settings)

... to notify the local authority of an intention to begin a private foster care arrangement immediately or within 6 weeks of it starting.

Why are children in private foster care?

Most frequently, children/young people are in private foster care for the following reasons:

- children from other countries sent to live in the UK with extended family
- host families for language schools
- parental ill-health
- parents have moved away but the child e.g. stays at school to finish their exams
- teenagers estranged from their families

An Ofsted report into Private Fostering also refers to these reasons:

- Children brought to the UK for adoption
- Children at independent boarding schools placed with host families for holidays
- Trafficked children

Research shows there are 10,000 children & young people in Britain living in informal fostering arrangements unknown to local authorities.

This can make children vulnerable to abuse.

All notifications to the Local Authority should be made to the service below with the start date, reason for the arrangement & contact details & dates of birth of each child, their parents and the carers

Families, Adopters & Carers Team (FACT)
Tel 2734998, Mon–Fri, 1.00–4.00pm
If unsure, ring the above number for advice; or email: adoptionsupport@sheffield.gov.uk
(ensuring any personal details are encrypted)

Useful web links/resources:

- Private Fostering, Sheffield City Council
- The Children (Private Arrangements for Fostering) Regulations 2005
- www.privatefostering.org.uk

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Pupil Transitions

Moving between education settings, e.g. early years, between primary school, to a secondary or FE College, is a hurdle in every pupil’s life.

Friendships & staff change & learning environments, organisations & buildings replaced.

Pupils may also move for other reasons e.g. moving house, a disabled pupil transferring to a special school, fleeing domestic abuse, eviction, family breakdown, debts, changed immigration status, becoming a ‘looked after child’.

They may arrive mid-term, have no friends, fear bullying, and have had previous moves. This can affect their ability to settle & learn & they may need a lot of support.

Where a pupil has safeguarding issues, you will need discussions, meetings plans and reviews between the Designated Safeguarding Lead/Deputy (DSL/D) and other involved agencies.

All safeguarding information must be clearly & quickly communicated between DSL/D’s at the previous and next setting, particularly if this is an unplanned move.

This can be done by:

- **Telephone discussion** – do not assume that the previous setting knows where the pupil has moved to – if you know a pupil is starting with you, you must ring the previous setting to check if the pupil has any safeguarding needs
- **Face to face meetings** – to allow staff to thoroughly share information about a pupil’s background, current situation or future risks
- **Secure electronic transfer** – allowing easy and quick transfer of sensitive information between settings

All discussions should be recorded on the pupil’s individual safeguarding file.

Schools can choose when to admit a pupil as long as this is reasonable.

Transgender pupils may move to a new setting as a fresh start. Information about status is ‘sensitive personal data’ and explicit consent is required before it can be processed. With consent:

- Identify a staff member in the new setting who will support the trans gender student
- Ensure the new setting has prepared for the needs of the student in line with this policy
- For more information see the document ‘Transgender Students’ on the SSCB website: [Education Setting’s Policies, Procedures and Guidance](#)

Top Tips:

- Prepare the pupil for the change if possible
- Maintain routines & consistent responses
- Involve parents and carers where appropriate
- Identify support and changed behaviour
- Share initial safeguarding information quickly by phone between the DSL/D at each setting

Admission forms should include:

- Pupils name, their chosen gender, date of birth
- Name, address & emergency contact number of parents & adults with parental responsibility
- Where the pupil normally resides
- Date of admission
- Details of last education setting attended

A pupil is the responsibility of the education setting from the first day that they have agreed or have been notified, that the pupil will attend.

The document: [Every Pupil Matters at...](#) provides a useful summary of a pupil’s emotional, physical & social development.

A paper or electronic safeguarding file should be created for every pupil who has a Family Common Assessment, ‘Child in Need’ status and safeguarding or child protection concerns.

- Paper files - transfer only by signed for/special delivery post or hand-deliver to the named DSL/D or Head, in the first week at the new setting
- If any sensitive information is transferred electronically it must be done safely & securely & meet data protection security transfer requirements.
- The guidance ‘Recording & File Transfer’ can be found on the SSCB website here: [Education Setting’s Policies, Procedures and Guidance](#)

Useful links:

- [Schools & Childcare, Sheffield City Council](#)
- ‘Between the Cracks Report’ RSA, 2013
- [The Education (Pupil Registration) (England) (Amendment) Regulations 2016](#)

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Reasonable Force

The term ‘reasonable force’ covers a broad range of actions used by staff that involve a degree of physical contact with pupils:

- ‘Force’ is used either to control or restrain; e.g. breaking up a fight, or restraint to prevent violence or injury
- ‘Reasonable in the circumstances’ means using no more force than is needed
- ‘Control’ is either passive, e.g. standing between pupils, or active, e.g. leading a pupil by the arm out of a classroom
- ‘Restraint’ means to hold back physically or to bring a pupil under control

Who can use reasonable force?

- All staff can legally use reasonable force
- Volunteers or parents accompanying students on an education trip, if authorised by the Head

Staff should use their professional judgement to make a decision to physically intervene or not and avoid causing injury, pain or humiliation.

Settings do not require parental consent to use force on a student.

When can reasonable force be used?

Reasonable force can be used to prevent pupils from:

- hurting themselves or others
- damaging property or causing disorder

Some examples of this are:

- Removing disruptive pupils if they have refused an instruction to leave class, or
- Preventing pupils from:
  - Disrupting an event, trip or visit
  - Leaving the classroom where this would risk their safety or disrupt others
  - Attacking someone
- Restraining a pupil at risk of harming themselves through physical outbursts
- Stopping a fight

Governors should ensure that staff, volunteers, parents, carers & pupils understand the settings’ behaviour policy, including the use of reasonable force.

Governors and staff should ensure they make appropriate adjustments in this policy for pupils with special education needs or disability.

All education settings should:

- Speak to parents and carers about serious incidents involving the use of force & consider how to record them, taking into account the:
  - Pupil’s behaviour and level of risk presented at the time of the incident
  - Degree of force used
  - Effect on the pupil and member of staff
  - Pupil’s age
- Risk-assess all situations where a pupil has behaved disruptively
- Develop strategies to manage the behaviour, involving parents and carers
- Brief the staff and ensure that additional support is available
- Consider the needs of pupil’s when deciding whether staff require training to carry out their responsibilities
- Understand there are occasions when physical contact with a pupil is proper & necessary e.g.
  - Providing comfort, praise or congratulation
  - Demonstrating the use of a musical instrument
  - Showing techniques during PE lessons
  - Giving first aid

Education settings cannot use force as a punishment – this is always unlawful

The Early Years Foundation Stage Framework, DfE 2017 states that you must always record physical interventions used for a child under 5 years old and inform parents and carers on the same day if practicable.

For further information:

- Use of reasonable force - Advice for Head Teachers, staff and governing bodies, DfE 2013
- Keeping Children Safe in Education, DfE 2018
- Early Years Foundation Stage Framework, DfE 2017

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Recording & File Transfer

Documenting safeguarding concerns is vital to the effective safeguarding of children and young people.

Safeguarding records are kept for many years & must be fully understood even after they have left your education setting.

All documents should:

- Be factual, evidenced, concise, complete, accurate and objective
- Include full names, dates, role/relationship to student
- Be securely stored (physically or electronically)

A safeguarding file should be set up for each student when a safeguarding concern is identified.

The file should be in date order & have a:

- Front sheet with basic details of the student
- Chronology of the contents
- Record of all discussions and meetings relating to the student and their family
- Copy of any other documents e.g. assessments, minutes of conferences, core groups etc.

Each file record should include:

- Date and time of:
  - writing the record
  - when an incident and/or concern began
- Details of your concerns, what gave rise to them, and any discussions about this (including with Designated Safeguarding Lead/Deputy)
- All actions you have taken
- The extent and nature of any involvement by other professionals, and their full details

Storage:

- All individual hardcopy safeguarding files should be stored in a locked cabinet
- Access to child protection information is only via the Head Teacher, Designated Safeguarding Lead or Deputy (DSL or DSD)
- Early intervention information should be securely archived until 25 years after last action
- Child protection information should be securely archived at least until the subject is 85 years old (currently indefinitely until further direction from the Independent Inquiry into Child Sexual Abuse)

E-storage:

- Always seek specialist advice
- Encryption of files is strongly advised
- If using password protection, ensure the Head, DSL & DSD all have the password, but do not share it with others
- Passwords should use a standard formula that is strong and memorable
- If using ‘restricted access’ folders, check if they can be over-ridden by your IT technicians
- Tightly manage access & permissions, disable promptly when staff leave or change role
- Check that archived e-files do not have digital continuity and/or password protection limitations
- If using ‘cloud software storage’ ensure that it is secure, subject to UK law and meets all data protection requirements & handling standards

Sharing information:

Appropriate levels of information must be shared by the DSL/D or Head with relevant staff and other education settings. This must be done in a timely manner so they can respond effectively to the child or young person’s needs.

Transferring files:

- All safeguarding files must be securely transferred immediately, in person or by signed for/special delivery, to the DSL/D of the new setting (including 16+ provisions)
- Always get a receipt for any file that is passed to another setting
- You may need to keep copies of significant documents for future use, e.g. documents that originated from your agency
- If the new establishment is out of city consider if a copy of the whole file should be retained
- Any copying of documents must be subject to personal & sensitive data processing conditions
- E-transfers must be secure, e.g. encrypted, for both the sending and receiving IT systems
- Documents may be copied to the file of another child only if appropriate
- All DSL’s receiving files must not dispose of any of the original contents

Please remember: All records (paper or electronic) must be professionally written and respectful towards the child, their family and other involved professionals. People may request access to these records or they may be used for other formal purposes, e.g. court, case reviews or other reports.
If a parent requests access to their child’s safeguarding file, this is a ‘Subject Access Request’ and you MUST seek Human Resources & legal advice from your organisation. General guidance below:

Advice in relation to the release of a safeguarding chronology or file to e.g. a Parent:

The request for safeguarding information is effectively a ‘Subject Access Request (SAR)’ and the Information Commissioners Office website contains useful information about the requirements to release information: https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/

Subject Access Requests

The revised legislation places a duty on a data controller (in this case the education setting) to respond to a subject access request (request for personal data) within one month. The right of access to personal data belongs to the person the data is about (in this case the child). However, as the child is a minor the child’s parents can be provided with the personal data if the child does not have the maturity/ability to understand it, or if the child does have maturity/ability and gives express permission for it to be released to the parents.

This would be a judgment call for the setting to make and being mindful of any sanctions that may be imposed by the Information Commissioner’s Officer for releasing personal data in breach of these principles.

Education settings should:

- acknowledge receipt of the correspondence
- confirm that this is considered a subject access request under the General Data Protection Regulation
- explain that as the information relates to the child being subject to or at risk of child abuse/ill-treatment you are lawfully permitted to refuse to release such information to parents where necessary

In most cases, subject access requests would be dealt with in the following way:

- Send a holding response to acknowledge receipt of the correspondence confirming that a full response will be provided within one month of receipt of the request (or up to a further two months if the request is deemed to be complex)
- Confirm to parents that not all of the information requested may be retained by the setting and that you will confirm which of their questions need to be directed to the Local Authority or other agencies
- Provided free of charge. However, a “reasonable fee” can be charged for further copies of the same information and when a request is manifestly unfounded/excessive or repetitive.

Checklists:

**Preparing for subject access requests**

- ☐ We can recognise a subject access request and we understand when the right of access applies.
- ☐ We have a policy for how to record requests we receive verbally.
- ☐ We understand when we can refuse a request and are aware of the information we need to provide to individuals when we do so.
- ☐ We understand the nature of the supplementary information we need to provide in response to a subject access request.

**Complying with subject access requests**

- ☐ We have processes in place to ensure that we respond to a subject access request without undue delay and within one month of receipt.
- ☐ We are aware of the circumstances when we can extend the time limit to respond to a request.
- ☐ We understand that there is a particular emphasis on using clear and plain language if we are disclosing information to a child.
- ☐ We understand what we need to consider if a request includes information about others.

If you require any assistance in preparing information for release to pupils or parents following receipt of a Subject Access Request, please make contact as soon as possible (see details below) and arrangements can be made for a member of the Governance Team to visit the education setting to provide practical advice:

**The Governance Team, Legal Services, Sheffield City Council, tel. 0114 273 6784 or Email: legalservicesgovernance@sheffield.gov.uk**

Any Sheffield school or college can contact the Governance Team for advice – there will be a charge unless they have a traded service package with Legal Services. Alternatively you can contact your HR advisor.
Referring safeguarding concerns

If someone is worried about a pupil/student at your setting, the concern:

- Must be passed on verbally to the Designated Safeguarding Lead/Deputy (DSL/D) (in person or by phone) straight away
- Should then be written down, given (or sent via secure child protection e-system) to the DSL/D & kept in the pupil/student’s safeguarding file

The DSL/D may do quick checks within school and with other agencies. These checks should not delay referral of a pupil/student who is suffering or likely to suffer significant harm.

If the child & family need early support from other agencies, the DSL/D will:

- With consent, complete an Early Help Assessment (EHA) form part 1 (for single issue) or Family Common Assessment (FCAF) (for multiple issues) & send securely to MAST to discuss at a Team around the Family (TAF) or Early Help Gateway (EHG) Meeting to coordinate support

If there are complex needs or if the support given has not had a positive outcome the DSL/D will:

- Complete an FCAF/MyPlan/Education, Health & Care Plan with the parents, carers & any practitioners who are already involved
- Obtain consent to share this information with the required services (using an interpreter if the family do not speak/understand English well)
- Send the information securely to Multi-Agency Support Team (MAST) to discuss at the Multi-Agency Complex Case Panel (MACCP)
- Attend the MACCP to discuss the assessment and what services are available to offer support

The DSL/D will refer a child or young person that is ‘suffering or likely to suffer significant harm’:

- immediately to the social worker (or their manager) if one is allocated to the child
- If no allocated social worker, immediately to Sheffield Safeguarding Hub, tel. 2734855

Consent is not required to refer concerns about significant harm, but you should inform parents if safe to do so.

The Sheffield Safeguarding Hub:

- will collect information from involved agencies and decide what further action is required
- does not take calls ‘for information only’ - record such information on the setting’s system
- DSL/Ds must follow up their referral in writing on a Multi-Agency Confirmation Form (MACF) within 24 hours, and send via the AnyComms system
- The Hub must acknowledge receipt of the MACF within 72 hours and feedback on the outcome

Making a referral – checklist:

- Ensure you have all of the pupil/student’s education & safeguarding information with you
- Call from a place where you will not be interrupted or overheard inappropriately

Describe the incident or the concern and provide information about:

The child/young person:

- Name, address, date of birth
- Presentation, hygiene, home environment
- Academic ability and achievement
- Attendance, punctuality, how long on roll
- Behaviour, response to rules & boundaries
- Relationships, bullying, discrimination
- Child/young person’s view about their home life
- Health issues, learning difficulties/needs

The family:

- Who has parental responsibility for the pupil?
- Who do they live with?
- If anyone involved has any special needs
- Who accompanies the pupil to school events?
- Other significant friends or relatives
- Parenting concerns such as domestic abuse, mental health, substance misuse
- Care, safety, guidance, protection, emotional support
- Family history, functioning
- Environmental issues, housing, finance, unemployment, social & community integration

Early Intervention:

- What support are you currently offering?
- Have you tried other support and did it work?
- Other services involved with the child/family
- Previous education settings attended
- Previous/current assessments

For the full SSCB all-agency guidance go to: Making a Referral following the Identification of Child Safety and Welfare Concerns

Contact details for Sheffield Children’s Social Care are available from the SSCB website.

If necessary, anyone can refer a child or young person that is ‘suffering or likely to suffer significant harm’ to Sheffield Safeguarding Hub

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Safeguarding concerns - flow chart for education settings

Someone raises concerns about a child or young person at your setting:
- Concerns passed on verbally to the DSL/D (in person or by phone) straight away
- Concerns then written down & given/sent securely to the DSL/D to keep as a record in the safeguarding file

DSL/D should collect information by:
- Reviewing the child or young person’s safeguarding file
- Contact involved practitioners to discuss

These checks are important but should not delay the referral of a child or young person under 18 years old who is suffering or likely to suffer significant harm

Is the child or young person suffering or likely to suffer significant harm?

YES...

Discuss with parents/carers?
- You do not need consent to refer to Children’s Social Care but it is preferable
- You should usually inform parents/carers of your concerns & that you are making referral
- You do not need to discuss the referral with parents/carers if you think it will place a child, parent/carer or worker at further risk
- If you cannot contact parents/carers DO NOT WAIT to make a referral as this may increase the risk

Talk immediately to the child’s social worker if one is already involved
If no allocated social worker, refer concerns immediately to Sheffield Safeguarding Hub (SSH), tel. 2734855
Within 24 hours, securely send a completed Multi-Agency Confirmation Form (MACF) to SSH

Not sure...

Consult Thresholds of Need Guidance (SCC) at: www.safeguardingsheffieldchildren.org/sscb

and/or:
Seek advice from the Multi-Agency Support Team, on 0114 2037485

and/or:
Discuss with a social worker in the Sheffield Safeguarding Hub on 0114 2734855

NO but need support...

Discuss support needs with parents/carers
Explain EHA (Early Help Assessment) process & seek agreement for parent/carer involvement

Early Help Assessment:
- Family needs support from an agency other than school (level 3)
- Complete FCAF part 1 (single issue)/ECAF (multiple issues)
- Send securely to MAST and discuss at TAF/EH Gateway Meeting to co-ordinate support

If EHG Meeting identifies more complex needs or no positive outcome at level 3, case will ‘step up’ to level 4

Early Help Assessment level 4:
- Family need multi-agency, intensive support
- Complete FCAF/MyPlan/HECP with parents/carers & involved practitioners
- Send securely to MAST for consideration at the Multi Agency Complex Case Panel (MACCP)
Showers & Changing Rooms

All children and young people are entitled to respect and privacy when changing clothes or taking a shower.

They need appropriate supervision, which respects their chosen gender, their age & needs, to ensure:
- their welfare, health & safety
- that bullying does not occur
- that they are not embarrassed

The supervising adults must have:
- the correct gender balance
- had up-to-date safeguarding training
- a full understanding of appropriate behaviour with children and young people

- In public areas settings must ensure that pupils have separate facilities or different use times & are not changing or showering with the public

- Separate facilities must be provided for all chosen genders of your pupils

- Trans-gender students in particular may feel vulnerable in toilets and changing rooms because of unwanted attention, bullying or harm and should be offered unisex facilities or an individual changing cubicle as appropriate

- Individual coaching needs to be carefully managed so that staff and children or young people are not usually alone together

- Settings must be aware of, sensitive to and and carefully manage any issues relating to physical advantage, risk & participation for e.g. male-to-female transgender students, or during later stages of a transgender students puberty

- If one-to-one work is required ensure that the situation is risk-assessed and suitable safeguards are put in place prior to commencement

- Where physical contact between staff and a child or young person is necessary, it must be appropriate and comfortable for both parties

- Staff need to be aware of all gender, cultural or religious issues prior to initiating physical contact

- Staff need to be vigilant about their own behaviour and ensure they follow agreed guidelines

- If a pupil complains about any inappropriate behaviour it must be taken seriously and responded to appropriately

The owners and managers of swimming pools are responsible for ensuring that:
- They comply with all health & safety regulations
- Their setting & equipment is fit for purpose
- They have an up-to-date safeguarding and child protection policy
- Their staff are trained in safeguarding children & young people and have appropriate DBS & other recruitment checks completed
- Have a designated member of staff for safeguarding & child protection
- Staff, children & young people are aware of who to report any concerns to

Staff should:
- Avoid physical contact with the child or young person when they are in a state of undress
- Avoid any visually intrusive behaviour
- Announce their intention to enter changing rooms
- Avoid remaining in the changing room unless required because of the child or young person’s needs

Staff should not:
- Change in the same place as the children or young people
- Shower or bathe with the children or young people
- Assist with any personal care that the child or young person can do themselves
- Use mobile phones or other media equipment in toilet or changing room areas

Useful websites:
- NSPCC ‘safe use of changing facilities’ Briefing
- Keep Children Safe in Sport, NSPCC Child Protection in Sport Unit
- Child Protection and Safeguarding in Sport

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Identifying pupils with SEND:
A pupil has Special Educational Needs if their learning difficulty/disability requires special educational provision different from or additional to that normally available.

Many safeguarding issues may overlap with a pupil’s SEND needs.

Education settings should:
• Assess and respond quickly to each pupil’s current skills & level of attainment on entry
• Build on information from previous settings and key stages
• Consider whether a pupil has a disability under the Equality Act 2010 & what reasonable adjustments are needed
• Listen to, understand & address pupils, parents & carers knowledge & concerns
• Assess pupils with emotional and/or behaviour issues for undiagnosed learning or communication difficulties or mental health issues
• If housing, family or other issues are present, consider a multi-agency approach using an Early Help Assessment.
• Consider whether bullying, bereavement etc. are having an impact on well-being
• Look carefully at all aspects of a child or young person’s performance to establish whether lack of progress is due to limitations in their command of English rather than having special needs

There are four broad areas of need which help settings to plan & review the support provided:
• Communication and interaction
• Cognition and learning
• Social, emotion and mental health difficulties
• Sensory and/or physical needs

Improving outcomes - settings should:
• Support pupils with SEND, whether or not they have an EHC plan
• Designate a SENCo to co-ordinate provision & liaise with parents & carers
• Ensure that SEND pupils can take part in all activities at the setting
• Follow the statutory guidance ‘Supporting pupils with medical conditions at school’
• Understand & follow the Equality Act 2010 including reasonable adjustments, providing aids & services, & preventing disadvantage
• Prevent discrimination, promote equality of opportunity and foster good relations
• Ensure a member of the governing body has specific oversight SEND arrangements
• Regularly review & record the use of SEND expertise & resources to improve provision
• Involve parents & carers in decisions to obtain specialist advice about support & intervention
• Consider a range of support, equipment, strategies & interventions to support progress

Principles include:
• Taking all views into account
• Consider whether parental vulnerabilities affect their understanding of the child’s needs
• Enabling everyone to take part in decisions
• Working with all agencies to provide support
• Identifying need
• High quality provision to meet those needs
• Inclusive practices & removing barriers
• Helping pupils to prepare for adulthood

Chapter 1, SEND Code of Practice: 0 to 25 years

Safeguarding training:
SENCo’s are welcome to attend the SSCP ‘Advanced’ level safeguarding training for education settings. Follow the link above.

SEND pupils in alternative provision:
Where the education of a SEND pupil is with an Alternative Provider it must follow the pupil’s EHC plan. If no plan is in place the provider should employ an appropriate response to these needs.

Your SEND policy must be set out in clear, straightforward language & easily accessible by young people and parents.
Schools should publish information on their websites about:
• The implementation of their SEND policy
• The names of staff in school for pupils, parents or carers to talk to if they have concerns
Working Together:
Local authorities have a duty to ensure, & partners have a duty to co-operate with, the provision of good quality & well integrated services from educational, training, health & social care agencies to promote wellbeing for children & young people with Special Education Needs and Disabilities (SEND).
This requires close co-operation between all partners to research, plan, commission & review services.
Schools will contribute to the educational provision described in the Sheffield's Local Offer and take part in wider strategic planning for education in the local area.

Education, Health & Care Needs Assessment:
If an education setting has a pupil with significant needs requiring immediate specialist assessment & intervention which the setting is unable to provide, it can make a request for an EHC Needs Assessment from the Local Authority.

Education settings must:
- Co-operate in carrying out the assessment & the development & review of an EHC plan
- Admit a young person to the school & provide educational support if specified in the plan

For more information go to: Education, Health and Care Needs Assessment.

Preparing for adulthood - all pupils should be:
- Supported to prepare for adult life & achieve employment, independent living, health & community participation
- Included in all activities, social groups, friendship networks & community activities, particularly when transferring from one phase or setting to another.

Looked after children (LAC):
Around 70% of looked after children have some form of SEN, and it is likely that a significant proportion of them will have an EHC plan.
All education settings must appoint a LAC Designated Teacher who works closely with the SENCO to ensure that the implications are fully understood by relevant school staff.
Local authorities must promote the educational achievement of LAC children wherever they are placed and appoint a Virtual School Head (VSH) to lead a team which tracks their progress.

The right to make decisions:
At the end of the academic year in which they turn 16, young people have the right to make requests & decisions under the Children and Families Act 2014.

Parents & carers can continue to support young people or act on their behalf, only with the agreement of the young person.

In most situations parents & carers will remain closely involved particularly where there are concerns about a pupil’s behaviour or welfare & in discussions about the young person’s studies.

Although the Children and Families Act 2014 gives rights directly to young people from the end of compulsory school age, this does not necessitate any change to a school’s safeguarding or welfare policy.

Military Service children:
The Children’s Education Advisory Service (CEAS) provides advice to Service parents, educational settings & local authorities about SEND issues.
Children may face difficulties that are unique to the nature of their serving parent’s employment, e.g.:
- Relocating more often & sometimes at short notice needing transitions to be well managed to avoid delays in assessing & meeting needs
- Deployment to operational arenas resulting in anxiety, dips in educational performance and/or emotional difficulties.

Education settings should ensure that:
- The impact of their policies, administrative processes and patterns of provision do not disadvantage such children
- All SEND & safeguarding records transfer quickly between education settings in the UK and overseas, to enable effective planning
- All reviews explicitly consider Service-related issues
- Access to assessments, interventions & provision is determined on the nature, severity & complexity of the needs presented and not to the amount of time left in a particular school
- They consider how the Service Pupils’ Premium is used to improve SEND provision
- The Ministry of Defence has developed a Pupil Information Profile for military service children.

Chapter 10, Children & young people in specific circumstances, SEND Code of Practice, 0 to 25 years
**Staff Safeguarding Supervision**

*Working together to safeguard children, DfE 2018* (p 57 & 58) says that:

- Designated professional roles should always be explicitly defined in job descriptions.
- Professionals should have sufficient time, funding, supervision & support to fulfil their safeguarding responsibilities effectively.
- Professionals should have regular reviews of their own practice to ensure they improve over time.

**Effective supervision:**

- Provides support, coaching & training for the practitioner & promotes the interests of children.
- Should foster a culture of mutual support, teamwork & continuous improvement.
- Encourages the confidential discussion of sensitive issues.
- Regular one-to-one meetings that support professionals to reflect critically on the impact of their decisions.
- Should be a safe environment where trust and confidentiality are maintained (as appropriate).
- Promotes equal opportunities and anti-discriminatory practice.

**Supervision should provide opportunities for staff to:**

- Discuss issues.
- Identify solutions.
- Receive coaching to improve their professional effectiveness.

The purpose, venue, timing, specific responsibilities, recording, sickness arrangements, complaints & reviewing processes should be agreed by both parties in a ‘supervision agreement’.

**Frequency** – supervision should be at least every 8 weeks and reflect:

- The level of experience & competence (not necessarily length of service) of staff.
- Particular circumstances e.g. difficult work, risk levels, personal difficulties, performance issues and levels of stress.

Changes to supervision should be by agreement between the two parties and be clearly recorded.

Agency and temporary staff should receive supervision in the same way as permanent staff.

The four main functions of supervision are:

**Management:**

- Quality of performance.
- Discussion of relevant policies & procedures.
- Safeguarding roles and responsibilities.
- Development and monitoring of workload.

**Learning and Development:**

- Identifying learning style and barriers, development needs and learning opportunities.
- Giving and receiving constructive feedback.
- Reflective practice through case discussion.

**Personal Support:**

- Clarifying boundaries.
- Allowing staff to express their feelings about the impact of their safeguarding work.
- Monitoring their health.
- Obtaining appropriate health support when appropriate.

**Mediation:**

- Ensuring that staff, the setting, the agency and other organisations are working together effectively.
- Dealing sensitively with concerns.
- Consulting and briefing staff on changes and developments that affect their area of work.
- Advocating between worker or team and other parts of the agency or with outside agencies.

**Who needs supervision?**

Supervision should be offered to all staff whose work brings them into contact with children, young people and their families.

Whilst the main focus may be on the safeguarding team members, other staff will need support either on an ongoing or specific basis.

Staff should be made aware that supervision is available if they want it and to contact the Designated Safeguarding Lead to discuss further.

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**Designated Safeguarding Leads/Deputies** should also regularly audit safeguarding records and files to ensure **recording and file transfer** standards are maintained.

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Recording:
This is the supervisor’s responsibility & should:
- Allow an issue to be revisited at a later date and still be understood
- Record all decisions, the reasons for them, agreed actions who will take responsibility and the timescale for carrying out these actions
- Be typed where possible
- Be signed and dated by both parties
- Be copied to the supervisee
- Be access restricted
If there is disagreement about the content of the record this should be recorded by both parties.
If a pupil/student is discussed, a summary of the discussion & agreed actions & timescales must be put in the pupil/student’s safeguarding file.

Supervision records are the property of the commissioning organisation, not the individual.

Supervisors may need to discuss the content of supervision sessions with e.g. their line manager; this should always be with the knowledge of the supervisee.

When a supervisee leaves the organisation the records should be retained for two years after the member of staff has left and then shredded.
Where a member of staff transfers to another section or supervisor within the organisation their records should be passed onto the new supervisor.

Types of supervision:

One to one supervision:
- The most common supervision method
- Takes place in private, pre-arranged time and an agreed agenda
- Having the same supervisor develops trust, openness and honesty and confidentiality

However, other methods can complement, rather than replace, one to one supervision.

Group supervision:
- A group of staff involved in the same task, meeting together with a supervisor to discuss issues about their work
- May be done a regular team meeting or as a separate session to look at specific issues.

Unplanned or “ad-hoc” supervision:
- Allows staff to discuss, obtain a decision or gain permission to do something quickly
- Staff who work closely with their supervisor may communicate daily but will still need regular one to one supervision

Peer supervision:
- A systematic approach where colleagues discuss professional issues and key topics with one another
- Should result in solutions that are helpful to the person who presented his or her problem.

It may be necessary to supplement supervision for practitioners who are experiencing trauma, e.g. where staff have been involved in providing information for a Serious Case Review or coming to terms with serious injury or death of a child or young person.

In these situations practitioners may need extra support from their line manager, the setting’s Safeguarding Team and Occupational Health.

Who should provide formal safeguarding supervision?

One of the purposes of safeguarding supervision is to provide specialist guidance and advice in relation to safeguarding and child protection matters.

This means that the person providing supervision needs to be fully trained and experienced in safeguarding children as well as being trained in providing supervision itself.

This may mean that an education setting will need to use the supervision skills of people outside the setting, either across other areas of the organisation, or from private or independent organisations.

If this is the case for your setting you must ensure that the supervisor follows appropriate confidentiality and data security processes.

Useful web links:
- Working together to safeguard children, DFE 2018
- Statutory Framework for the early years foundation stage, DFE 2017

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Safeguarding Children in Education – Training Pathway

There is also a varied programme of learning seminars:
- General Multiplication, Honour Based Violence etc.
- Gender-based Abuse: Systems of Abuse (Focused Intervention)
- Domestic Abuse: Working effectively with Neglect/Parental
- Domestic Abuse: Working effectively with Neglect/Parental:
- And other Multi-Agency Training covering:
  - Other (SSCB) DSL/D Brefings that you are informed about
  - Multi-Agency Conferences & Core Groups
  - Prevent (WRAP) - book via bookings@jeanshemfield.co.uk
  - Advanced Refresher SCE (annual) Training
  - Advanced Safeguarding Children in Education Initial Training

And the following training additional training for role:
- Training for all staff who have regular contact with children and
- Training for all staff who have regular contact with children and
- Designated Safeguarding Lead & Deputy (DSL/D) and any other

Staff with a significant safeguarding or child protection role:
- Classroom setting: 21st Century Classroom Setting
- Provides outside the school working with
- Pastoral Support Team
- SLT: Leadership Team
- Governor, Senior Head, Principal
- All staff with children

Safeguarding Children in Education - Training Pathway

and under, in this case only they should attend the Early Years Advanced Safeguarding Training

Safeguarding Deputy and in primary schools should complete the education training pathway for DSL/D unless they solely work with children 5 years old

All staff in Early Years and Foundation Stage school settings should follow this training pathway. Foundation Stage leads who are Designated Safeguarding Leads and
Transgender Students

A transgender person feels that their external appearance or the sex they were assigned at birth does not match the way they feel internally about their gender identity.

People, who are questioning their gender identity or are gender non-conforming, may or may not be transsexual, as gender variance can be fluid.

Gender Dysphoria (or Gender Identity Disorder) can present from two years old and can only be diagnosed by a medical and/or psychiatric expert.

A person with Gender Dysphoria may require treatment to ameliorate the symptoms associated with being transgender.

A transgender person can live their life without being diagnosed with Gender Dysphoria or receive treatment and may choose to be known by a gender neutral name or to wear different clothes.

Most transgender students and families will need support or information as they grow & develop.

Trans people’s experiences:
- 80% silent harassment, staring, whispering
- 38% physical intimidation and threats
- 63% negative interactions in general mental health services
- 58% knew they were a trans person by 13 years old
- 28% young trans people haven’t told anyone
- 81% felt they gained something from being trans or expressing their gender identity
- 35% avoided seeking urgent help because of their trans history
- 28% have experienced physical attacks
- 27% have attempted suicide
- 17% told their mental health issues were because they were trans people

The Human Rights Act 1998 supports the right of transgender people to live in their true gender with freedom of expression, respect for their private and family life & prohibiting discrimination.

Education settings must not discriminate:

Discrimination occurs when a practice that applies to everyone, puts a person with a protected characteristic at a disadvantage e.g. a uniform rule with no “unisex” options.

There is no legal requirement to make “reasonable adjustments” for transgender students, but this approach ensures that they are properly supported.

The Equality Act 2010: the protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, marriage/civil partnership, sex and sexual orientation.

The ‘equality duty’: public authorities must eliminate unlawful discrimination, harassment, victimisation & other prohibited conduct. Compliance with the duty may involve treating some people more favourably than others, by:

1. Advancing equality of opportunity between people who share a protected characteristic and those who do not, by:
   - Removing or minimising disadvantage
   - Meeting the needs of people in protected groups
   - Encouraging people from protected groups to participate in public life & other activities

2. Fostering good relations between people who share a protected characteristic and those who do not, by, e.g. tackling prejudice and promoting understanding.

Public authorities must stop discrimination because of marriage or civil partnership status.

Religion or belief does not justify unlawful discrimination.

Information about a person’s transgender status is sensitive (special category) data and must be processed in line with General Data Protection Regulation conditions.

Sex Discrimination (Gender Reassignment) Regulations 1999:

If a person is involved in any stage of gender reassignment:

- Protection from discrimination at work, school & vocational training
- Cannot be treated less favourably than others regarding absences or terms & conditions of employment, education or training.

The Gender Recognition Act 2004 makes provision for, once a person is 18 years old:
- to be able to apply for a Gender Recognition Certificate (GRC)
- for a birth certificate to be compiled from their registered GRC

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How settings can support a trans student:

- Write a confidential, informal & flexible support agreement between the Head, parents/carers & student to clarify your obligations & review & amend as necessary
- Respect the trans student’s wishes regarding their transition and in particular:
  - Toilet & changing facilities
  - Confidentiality
  - Name & pronoun changes
  - Uniform requirements
  - Medical treatment & vaccinations
- Record important changes & actions in all documents & replace previous information
- Re-issue previous awards and certificates
- Keep old documents with previous names and pronouns securely
- Discuss with parents/carers & student about if, who, how & when changes are communicated to staff, governors, other agencies, students and parents as appropriate
- Consider the training needs of staff and governors, e.g. e-learning, face-to-face training
- Set up sessions to raise pupil awareness e.g. assemblies, PSHE
- Ask trans students if they want to help with or run assemblies, staff training etc.
- Introduce equality & human rights discussions in the classroom & the curriculum, e.g. PSHE
- Make resources widely available e.g. leaflets, e-Learning, library books, internet links
- Display equality literature and policies and offer varied discussion opportunities
- Parents, governors, staff & students may want individual & confidential discussions
- Identify individual or group student support from e.g. a trained mentor
- Encourage trans students to set up and run their own support group
- Identify support groups for family members
- Students may be absent for appointments, and need to make up lost lessons
- Medication such as hormone-blockers may lead to lack of energy and other side effects
- Celebrate diversity - run events such as LGB&T+ History Month (February)
- Record absence sensitively, e.g. time off for a medical appointment which does not merit being recorded as sick.

Transphobic bullying:
Transphobic incidents must be recorded & dealt with in the same way as other hate incidents.
Transphobic bullying can be compounded by a lack of:
- general understanding
- clear explanations & leadership
- staff training
Responses should focus on supporting the victim by managing the bully’s future behaviour.

Terminology and language:
Many different terms are used by trans students & organisations to identify themselves & to describe being trans. Students often choose a different first name for their new identity.
It is respectful and inclusive to use the correct
- gender (e.g. male, female, neutral, fluid)
- name & pronouns (e.g. he, she, they, them)
to address transgender students. Hearing the above terms used incorrectly can be uncomfortable or seriously detrimental to their wellbeing.

Uniform:
Students should be allowed a choice between gender neutral options or wearing the uniform of the gender they identify with.
You may need to consider the suitability of swimwear for water based activities, e.g. skirted swimsuits, rash vests, ‘baggy’ shorts & wetsuits.

Vaccinations:
General vaccinations should be given to both genders in a mixed queue, with screens to promote privacy for each pupil.
If the vaccination is gender specific allow the trans student to receive it at school or from their GP depending on their wishes.

Trips and overnight stays:
When completing a risk-assessment, always talk to the transgender student & their parents/carers about meeting their additional needs, e.g.
- Sleeping arrangements
- Border searches if abroad
- Legal & cultural issues in another country
- Passport details
**PE, toilets & changing facilities:**

Settings must be aware of and carefully & sensitively manage any issues relating to physical advantage, risk & participation for transgender students; or during later stages of a transgender student’s puberty.

Trans students may feel vulnerable in toilets or changing rooms because of unwanted attention, bullying or harm.

Solutions will depend on existing facilities:

- Unisex toilets and changing facilities with individual cubicles
- Use of the ‘accessible’ disabled facilities by renaming them as ‘unisex accessible toilets’, ‘toilet and changing facility’ or simply ‘toilet’

**Changing name, pronoun, gender identity:**

This is an important step for many trans students and should be respected in all communications, personal data systems, letters home, reports, bus pass information etc.

Students can be entered under any name with an exam board, but once a result is accredited it will need to be linked with the Unique Pupil Number (UPN) or Unique Learner Number (ULN) from the school census in January of the exam year. Exam certificates can be issued in the preferred name.

Birth certificate details can only be changed if a Gender Recognition Certificate has been registered.

To change a passport name or other official document you may need to evidence a change of name by deed poll or by statutory declaration.

A person under 16 years cannot change their name legally without the consent of a parent and simply changing name does not change a legal gender identity.

**Staff training** should be an open experience where staff can discuss their views and address:

- Social, moral, spiritual & cultural issues
- Safeguarding & transphobia
- Legal and financial issues
- Consent, confidentiality, privacy & dignity
- Gender identity
- Language and terminology

This training should always be provided by someone with understanding of transgender issues.

Talk to your trans students about whether they want to be involved in delivering staff training.

**Moving to a new education setting:**

Some transgender students see this as a new start and wish to be known by their chosen gender.

This can be empowering if the correct support and preparation is in place.

The move will need consideration, planning & good communication and must include the rights, thoughts, concerns and wishes of the transgender student & their parents or carers as appropriate.

- Identify a staff member in the new setting who will support the transgender student
- Ensure the new setting has prepared for the needs of the student in line with this policy

**Equality Act 2010: advice for schools, DfE 2014** says that a single sex school that allows a student to remain after transitioning would not lose its single-sex status.

**Work placements & alternative provision:**

You are responsible for keeping students safe in any situation where your setting has arranged for them to be educated.

Prior to placement, you must assess the suitability of any organisation to meet the needs of a trans student, whilst respecting their confidentiality.

**Resources:**

- Sheena Amos Youth Trust (SAYiT): [https://sayit.org.uk/](https://sayit.org.uk/)
- The Proud Trust: [www.theproudtrust.org/](http://www.theproudtrust.org/)
- Gender Identity Research & Education Society: [www.gires.org.uk](http://www.gires.org.uk)
- Transition of pupils/teachers factsheets: [https://www.gires.org.uk/information-for-educators/](https://www.gires.org.uk/information-for-educators/)
- Lesson plans: [https://www.gires.org.uk/lesson-plans/](https://www.gires.org.uk/lesson-plans/)
- Equality Act 2010: advice for schools, DfE 2014 
- Preventing and tackling bullying, DfE 2017 
- Changing name by deed poll: [www.gov.uk/change-name-deed-poll/](http://www.gov.uk/change-name-deed-poll/)
- Additional passport information for transgender people
### Glossary of terms:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AFAB</strong></td>
<td>Assigned female at birth</td>
</tr>
<tr>
<td><strong>AMAB</strong></td>
<td>Assigned male at birth</td>
</tr>
<tr>
<td><strong>Affirmed Gender Identity</strong></td>
<td>The gender that a person feels they are</td>
</tr>
<tr>
<td><strong>Assigned Sex</strong></td>
<td>The sex given to a person at birth, usually based on the genitalia they have</td>
</tr>
<tr>
<td><strong>Crossdresser</strong></td>
<td>A person who temporarily wears and/or takes on the characteristics associated with a gender different to that assigned at birth</td>
</tr>
<tr>
<td><strong>Transvestite</strong></td>
<td></td>
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<tr>
<td><strong>Gender Affirmation or Reassignment Surgery</strong></td>
<td>Refers to surgical alteration, often meaning lower surgery, but can refer to any surgery</td>
</tr>
<tr>
<td><strong>Gender Binary</strong></td>
<td>The idea that there are only two genders – male and female</td>
</tr>
<tr>
<td><strong>Gender Dysphoria</strong></td>
<td>Where a person experiences discomfort or distress due to a mismatch between their biological sex and their gender identity</td>
</tr>
<tr>
<td><strong>Gender Identity</strong></td>
<td>A person’s internal sense of the gender they are, e.g. woman, man, non-binary, fluid etc.</td>
</tr>
<tr>
<td><strong>Intersex</strong></td>
<td>A person who is born with sex characteristics that are not easily classified as what is considered clearly male or female. This could be visually obvious such as genitalia or on a chromosomal/hormonal level. There are many different forms of intersex.</td>
</tr>
<tr>
<td><strong>Non-Binary</strong></td>
<td>A person who feels the gender binary of man or woman doesn’t fit their gender identity, often preferring gender neutral pronouns such as ‘they’ or ‘them’. There are many terms for someone who feels like this and it is down to personal preference, e.g. genderqueer, gender-fluid, bi-gender, poly-gender</td>
</tr>
<tr>
<td><strong>Sexual Orientation</strong></td>
<td>Who a person is attracted to – can be romantic, sexual or intimate attractions. This is separate from a person’s gender identity.</td>
</tr>
<tr>
<td><strong>Trans/Transgender</strong></td>
<td>An umbrella term for the whole spectrum of people whose gender identity differs from the sex assigned at birth. This can include any and more of the identities listed. The term is often shortened to ‘trans’ which is more popularly used, or may be replaced by gender variant.</td>
</tr>
<tr>
<td><strong>Transition</strong></td>
<td>The process of changing to live life in the affirmed gender role. This is not a simple step but a complex procedure that can involve many different elements such as medical, legal and social changes.</td>
</tr>
<tr>
<td><strong>Transsexual</strong></td>
<td>A person who feels that the sex assigned at birth does not fit with their internal gender identity and will transition from the sex they were assigned at birth to another (or part way to another). It usually means someone who has medical intervention such as hormones or surgery.</td>
</tr>
<tr>
<td><strong>Trans woman (MtF)</strong></td>
<td>A person who was assigned male at birth &amp; identifies as female or feminine.</td>
</tr>
<tr>
<td><strong>Trans man (FtM)</strong></td>
<td>A person who was assigned female at birth &amp; identifies as male or masculine.</td>
</tr>
</tbody>
</table>

**Remember:**
- Each term may have a different individual interpretation; if unsure ask how people describe themselves.
- Always use the adjective ‘trans people/person’; the same as we say ‘gay people’ or ‘black people.’
- Terms like ‘sex change’, ‘pre-op’ and ‘post-op’ can be offensive as it implies that surgery is needed to truly change one’s gender; use ‘transition’ or ‘transitioning’ instead.
Transporting Pupils

Some children and young people are subject to formal transport arrangements between education settings and their home, e.g. school buses or escorted transport for pupils with a disability or learning difficulty.

However, there are also occasions when staff (and exceptionally, volunteers) may be asked to provide transport for children & young people to attend trips and appointments as part of their employment duties.

These guidelines are designed for occasions when the pupil is transported by staff in their own vehicle or in transport provided by the organisation.

Before agreeing that a journey can be made, a risk assessment must be undertaken.

This should be done alongside a member of the senior management team and the Designated Safeguarding Lead or Deputy, to consider whether:

- The journey is necessary and appropriate
- The pupil has behaviour, safeguarding, health or mobility issues
- The pupil may require medication during the journey
- The number of adults required for a safe journey (usually, minimum 2)
- Whether the adults are fit to carry out the journey e.g. have any health issues that may put them or the pupil at risk
- Safeguards can be put in place to reduce any risks identified

No adults involved in transporting should do this unless they have had appropriate:

- Safeguarding and behaviour management training
- Recruitment checks for ‘regulated activity’

Volunteers who transport pupils unsupervised are considered to be in ‘regulated activity’ and will need appropriate DBS and other checks before they do this.

However it is recommended that 2 people accompany a pupil to ensure the journey is safe for all parties.

Education settings must:

- Declare in writing to their insurers that their staff carry pupils in their cars or in transport provided by the setting
- Check:
  - Staff driving licenses in accordance with council policy
  - A driver’s suitability if they have any offences e.g. for drink driving
  - That the vehicle insurance is current, fully comprehensive and insured for business use
  - The vehicle has a current MOT certificate, is in a road worthy condition & is appropriate to transport pupils
- Keep a copy of the above documents with their insurance paperwork and complete and update annual checks
- Ensure that only appropriate staff members drive and escort pupils

Any organisation or individual who provides transport to children or young people has a legal duty to ensure they carry them safely, called their ‘Duty of Care’.

The Health & Safety Executive has produced useful guidance here: Driving at work: Managing work-related road safety

Top tips:

- Risk-assess all journeys
- Ensure that the vehicle is in a suitable condition to make the journey
- Ensure that you are fit and well to make the journey
- Ensure all health & safety requirements are in place
- If you have any doubts, consult your manager
- Never take a pupil out of the setting without letting a member of the senior management team know & agree the journey

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If it is agreed that the journey should go ahead, the organisation must ensure that:

- A risk assessment and any behaviour management or health/care plan is completed for each pupil.
- The risk assessment, behaviour and health/care plan are shared fully with the staff members who are driving and escorting prior to the journey.
- Pupils should usually travel with a minimum of 2 appropriate adults whether travelling in a car or minibus, to ensure there is sufficient support in e.g. a medical or other emergency, car accident etc.
- No pupil should travel with only the driver unless it’s an emergency and/or cannot be avoided, i.e. all other options have been considered.
- Age appropriate seating and seat restraints are in place and the driver and escort are fully aware of how they operate.
- The journey is pre-planned and the written plan is copied and left with a member of the senior management team at the setting.
- A contingency plan is included which considers, for example: adverse weather, breakdown, accident and other possible situations.

The staff members who are driving and escorting must ensure that:

- They carry the following up-to-date documents on the journey:
  - An accurate list of all children, young people and adults included in the planned journey.
  - The emergency contact details for all children and young people involved in the journey.
  - The child or young person’s health/care and/or behaviour plans if applicable.
- They carry a fully charged mobile phone, provided by the setting, for emergency contact.
- They do not carry people or engage in activity that is not work related during the journey.
- They are fit and competent to drive or escort children and young people at the time of the journey.
- The vehicle is safe and suitable at the time of the journey.
- Age appropriate seating and seat restraints are used appropriately at all times.
- The setting management is fully aware of and have agreed the journey, and has appropriate copies of all documentation.
- The setting is aware of and monitoring their expected time of return.
- Staff report in to their setting when the journey has ended.
- They do not smoke in the vehicle whilst children/young people are present.

Providing transport for pupils under 5 years old:

- Staff need to inform their manager and seek medical advice about any medication they are taking to ensure their ability to care for children is not affected.
- At least one staff member accompanying a pupil must hold a current paediatric first aid certificate.
- Risk assessments must also:
  - Consider hazards that may arise and identify steps to remove, minimise and manage these risks.
  - Include consideration of adult to child ratios.
- Vehicles (and their drivers) in which pupils are being transported must be adequately insured.

For further information go to:
Early Years Foundation Stage, DfE 2017

If you have concerns about the transportation of a pupil you should discuss them with a senior manager and the Designated Safeguarding Lead or Deputy at your setting.

Useful links/resources:

- In Car Safety, RoSPA.
- DVLA – Health conditions and driving.
- Driver Risk Assessments & Training, RoSPA.
- Smoking in Vehicles, DoH 2015.
- Driving at work: Managing work-related road safety.

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