



Safeguarding Concerns Handling Procedure

Revised February 2022

This guide is for use by all Education Scotland staff. It sets out our procedure for dealing with safeguarding concerns

For Scotland's learners, with Scotland's educators

Responsibilities of Education Scotland staff

This code of practice and guidance together with appropriate professional learning will support Education Scotland staff in fulfilling their safeguarding responsibilities and duties. We have both an internal safeguarding role in terms of supporting staff in dealing with safeguarding responsibilities and duties as well as an outward facing role through regional delivery, inspection and review and providing professional policy advice.

Education Scotland does not have direct responsibility for the delivery of services, or for investigating matters related to safeguarding and child protection. Education Scotland is committed to promoting the welfare and wellbeing of its employees and all children, young people and adults who staff come in contact with during all our work. Safeguarding is the responsibility of everyone in Education Scotland regardless of their individual role.

We will support **all our staff**, and ensure they:

- are appointed following appropriate and stringent safe recruitment procedures
- are supported through appropriate professional learning to raise their awareness of the need for safeguarding children, young people and protected adults, know their responsibilities and are familiar with the procedures to follow when they have concerns
- take actions to respond to allegations, suspicions or incidents of abuse.

We will build capacity by supporting professional learning communities and networks of key educational staff from local authorities and the independent school sector, who are responsible for supporting educational establishments and services with safeguarding matters. Our focus will be on supporting others to undertake their safeguarding responsibilities.

Safeguarding: Education Scotland's Code of Good Practice

This code of good practice is for Education Scotland staff to protect children, young people, protected adults and to safeguard Education Scotland staff. It applies to all work carried out on behalf of Education Scotland, including inspections/scrutiny. This code underpins Education Scotland's Safeguarding Policy.

In carrying out their duties, each member of staff must take account of their responsibilities in ensuring children, young people and protected adults are safe and get the help they need. 'It's everyone's job to make sure I'm alright.'

Things you must do:

- treat all children, young people and protected adults with respect;
 - ensure that your own conduct is always an example of good practice;
 - ensure that you are not alone with a child, young person or protected adult during inspection/scrutiny activity and that you are at least within sight or hearing of others;
 - respect the rights of individuals to have their safety, privacy and dignity assured;
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- remember that someone else might misinterpret your actions, no matter how well intended;
- recognise that caution is required if you are discussing sensitive issues with children, young people and protected adults or their parents/carers;
- be aware of other Education Scotland staff, be vigilant and act to help them keep themselves and children, young people and protected adults safe. Be prepared to challenge their actions;
- operate within Education Scotland's Code of Practice and Safeguarding Policy as well as the procedures of the establishment, service, council or organisation being visited;
- record a report of the incident/disclosure, detailing, where possible, exactly what was said and recording times and individuals involved.

Things you must not do:

- Have inappropriate physical contact with children, young people and protected adults, including 'caring' physical contact;
- encourage inappropriate attention-seeking behaviour;
- speak to a child, young person or protected adult in an inappropriate way or make suggestive/derogatory remarks or gestures in their presence;
- discourage children, young people and protected adults who want to talk about attitudes or behaviours of others they do not like;
- draw conclusions or make judgements about others without checking facts;
- exaggerate or trivialise abuse issues;
- discuss personal issues about a child, young person or protected adult or their family casually with others;
- rely on your good name or that of Education Scotland to protect you from scrutiny of your conduct;
- think it could never happen to you;
- take a chance when informed common sense, policy and practice suggest another more prudent approach;

- **Listen**
- **Take all concerns seriously and act promptly**
- **Refer, DO NOT investigate**
- **Record information in writing as soon as possible**
- **ALWAYS SEEK ADVICE IF YOU ARE UNSURE**
- **It is not our job to decide if a child has been abused but it is our responsibility to report our concerns**
- **Always follow up to see what action has been taken**

A safeguarding concern is received via *telephone or in person*

- Be polite and respectful when you receive a concern asking for advice.
- Determine (where possible) if the person raising the concern has contacted the school and local authority or independent school. If yes advise them this is the correct course of action as they are able to investigate the complaint already raised.
- If not, or they are looking for further guidance, inform the caller that we are unable to investigate such concerns, however that we are able to contact the Local Authority or Registrar for Independent schools to inform them of the concerns raised and that the caller can follow this up with their own direct complaint to the Local Authority or Registrar for Independent schools.
- Ask for details they are happy to give such as name, name of child or young person, age, school / service, local authority or independent school & brief details of the concern using **Annex 1**. Ensure language used is objective. For example, the parent/carer **alleges** an incident. If helpful, repeat back what they have said to clarify you have all the correct information.
- Read out the safeguarding response at **Annex 2** which advises them of the process and what action they can take. *ensure use correct response if independent school.

As soon as possible, share erdm link for Annex 1 marking it **CONFIDENTIAL** to named persons in **Annex 3**

Subject line : Safeguarding concern : XXX school XXX authority / Independent School

Please see the attached the initial safeguarding concern received via phone / in person regarding a child or young person's experiences at XXX in XXX authority / Independent school.

I have spoken to the enquirer of the necessary steps to progress the concern with the local authority.

I would be grateful if you could inform xxx authority / Registrar of Independent schools to make them aware of the situation.

Enquiries

- ✓ Head of Inclusion, Wellbeing & Equalities
- ✓ Senior Regional Advisor for the region,
- ✓ SEO IWE (SEO IWE will log info onto Safeguarding tracker)
- ✓ Registrar for Independent Schools only if independent school

The Senior Education Officer (Inclusion Wellbeing & Equalities) will share concern details the local authority Safeguarding contact Registrar for Independent schools cc'ing the Head of Inclusion, Wellbeing & Equalities and the Senior Regional Advisor for that region using agreed structure and marking it **CONFIDENTIAL** along with **HIGH IMPORTANCE** flag

If **NO** response is received from the safeguarding lead within 24 hours, resend the communication asking for SEO / Head of Inclusion to make contact with local authority or Registrar for Independent schools.

If **NO** response is received from the local authority safeguarding lead / Registrar for Independent schools within 24 hours, the SEO (Inclusion, Wellbeing & Equalities) should then resend the communication & include the next point of contact on the contact list. It is at this point a telephone call can be made ensuring details of the date, time and who spoke to is recorded.

Safeguarding concerns should be sent to the relevant education authority on the day they have been received by ES and no later than within 24 hours.

On receipt of confirmation from local authority safeguarding lead / Registrar that they have received details of the concern the SEO (Inclusion, Wellbeing & Equalities) for the associated region will complete the safeguarding concerns tracker on eRDM to ensure a robust record of concerns is stored and the concern can now be marked as closed.

A safeguarding concern is received by *email*

- Determine (where possible) name of person raising the concern and **check, using an up to date school list [School contact details - gov.scot \(www.gov.scot\)](http://www.gov.scot)** whether local authority or independent. If the location is not available or not clear, please reply asking for further information in order to deal with the concern.
- If clear that it is a safeguarding concern or complaint, reply using agreed text in **Annex 2, [bcc'ing](#)** [REDACTED]
- If unsure as to whether it is a safeguarding concern or complaint, forward onto Head of Inclusion, Wellbeing & Equalities & [REDACTED] for clarification

As soon as possible, share erdm link with concern marking it **CONFIDENTIAL** to named persons in **Annex 3**

- ✓ Head of Inclusion, Wellbeing & Equalities
- ✓ Senior Regional Advisor for the region,
- ✓ SEO IWE (SEO IWE will log info onto Safeguarding tracker)
- ✓ Registrar for Independent Schools only if independent school

Using the following text;

Subject line : Safeguarding concern : **XXX school **XXX** authority / Independent School.**

Please see the attached the initial safeguarding concern email regarding a child or young person's experiences at **XXX in **XXX** authority / Independent School.**

I have replied to the enquirer of the necessary steps to progress the concern with the local authority / Independent School.

I would be grateful if you could inform **xxx authority / Registrar to make them aware of the situation.**

The Senior Education Officer (Inclusion Wellbeing & Equalities) will share concern details the local authority Safeguarding contact / Registrar of Independent schools cc'ing the Head of Inclusion, Wellbeing & Equalities and the Senior Regional Advisor for that region using agreed structure and marking it **CONFIDENTIAL** along with **HIGH IMPORTANCE** flag

If **NO** response is received from the safeguarding lead / Registrar within 24 hours, resend the communication asking for SEO / Head of Inclusion to make contact with local authority / Registrar.

If **NO** response is received from the local authority safeguarding lead / Registrar within 24 hours, the SEO (Inclusion, Wellbeing & Equalities) should then resend the communication & include the next point of contact on the contact list. It is at this point a telephone call can be made ensuring details of the date, time and who spoke to is recorded.

Safeguarding concerns should be sent to the relevant education authority on the day they have been received by ES and no later than within 24 hours.

On receipt of confirmation from local authority safeguarding lead / Registrar that they have received details of the concern the SEO (Inclusion, Wellbeing & Equalities) for the associated region will complete the safeguarding concerns tracker on eRDM to ensure a robust record of concerns is stored and the concern can now be marked as closed.

Annex 1

Education Scotland Safeguarding Concern Form

This form should be used to record details of safeguarding concerns received by telephone or in writing. (Only information highlighted in blue is vital for processing)

Part 1: Recording and reporting a safeguarding/child protection concern

Details of the child, young person or protected adult	
The following information is CONFIDENTIAL. However, where relevant, information may be shared with other agencies such as the local authority, education, social services, and/or police.	
Name of child, young person or protected adult	
Date of birth / class / stage	
Address	
School/Service	
Local Authority	
Details of concern or alleged incident	
Information about the person sharing the concern with Education Scotland	
Date information received	
Was this by phone, or in writing	
Name of person providing information	
Telephone number	
Address	
Details of Education Scotland member of staff recording this concern	
Name of ES member of staff person who received information about the concern	
Email address	
Telephone number	
Date when form completed	

Sharing information with education authority	
Name of child protection contact in education authority with whom information was shared	
Date information sent	

Part 2: To be completed by Education Scotland staff to record receipt of concern by education authority

Date response received from education authority	
Information supplied by education authority about actions or how they have responded to the concern	

Annex 2

Verbal safeguarding response

As you have raised a safeguarding concern, Education Scotland will follow our safeguarding process. This means that a designated staff member will contact the local authority to make the local authority aware of your concerns. However, Education Scotland does not have the remit to investigate individual concerns of this nature and we advise you to follow this standard advice we usually give;

To progress a concern or complaint not directly related to Education Scotland's [remit](#) we would advise you to initially raise your complaint directly with your school/establishment. If you are not satisfied with the school response then we advise that you raise your issues with your local authority and follow their complaints process. The local authority's education department has responsibility for ensuring that any concerns about schools in its area are dealt with appropriately. Education Scotland does not have a remit to investigate complaints against teachers or schools.

If you are not satisfied with the response from the local authority you have the right to contact the Scottish Public Services Ombudsman (SPSO), who handle complaints about public services in Scotland, for advice. The [SPSO](https://www.spsso.org.uk/) (<https://www.spsso.org.uk/>) will consider complaints which have been through the formal complaints procedure of your local authority. I can forward on their details should you require this.

Independent school response

As you have raised a safeguarding concern, Education Scotland will follow our safeguarding process. This means that a designated staff member will contact the Registrar for Independent Schools to make them aware of your concerns. However, Education Scotland does not have the remit to investigate individual concerns of this nature and we advise you to follow this standard advice we usually give;

To progress a concern or complaint not directly related to Education Scotland's [remit](#) we would advise you to initially raise your complaint directly with your school/establishment. If you are not satisfied with the school response, you may wish to raise your concerns with the school's proprietor (often a 'Board of Governors') as they are ultimately responsible for the school.

Depending on the nature of your complaint, you may also wish to contact the Registrar of Independent Schools (an official of the Scottish Government) who is responsible for the registration of independent schools in Scotland.

Email response

I regret to hear of your concerns, however Education Scotland does not have the remit to investigate individual concerns of this nature.

As you have raised a safeguarding concern, Education Scotland will follow our safeguarding process. This means that a designated staff member will contact the local authority to make the local authority aware of your concerns. However, as we do not have the authority to investigate such concerns we advise you to follow the standard advice we usually give below:

To progress a concern or complaint not directly related to Education Scotland's [remit](#) we would advise you to initially raise your complaint directly with your school/establishment. If you are not satisfied with the school response then we advise that you raise your issues with your local authority and follow their complaints process. The local authority's education department has responsibility for ensuring that any concerns about schools in its area are dealt with appropriately. Click [here](#) for a link to contact information for all Scottish local authorities. Education Scotland does not have a remit to investigate complaints against teachers or schools.

If you are not satisfied with the response from the local authority you have the right to contact the Scottish Public Services Ombudsman (SPSO), who handle complaints about public services in Scotland, for advice. The [SPSO](#) will consider complaints which have been through the formal complaints procedure of your local authority.

Contact details for the SPSO are as follows:

In Person: SPSO, 4 Melville Street, Edinburgh, EH3 7NS
By Post: SPSO, Freepost
Freephone: 0800 377 7330
Online Contact: <http://www.spsso.org.uk/contact-us>
Website: <http://www.spsso.org.uk/>
Mobile Site: <http://m.spsso.org.uk>

Thank you for taking the time to contact us
Yours sincerely

Enquiries

Independent schools response

I regret to hear of your concerns, however Education Scotland does not have the remit to investigate individual concerns of this nature.

As you have raised a safeguarding concern, Education Scotland will follow our safeguarding process. This means that a designated staff member will contact the Registrar for Independent schools to make them aware of your concerns. However, as we do not have the authority to investigate such concerns we advise you to follow this standard advice we usually give;

To progress a concern or complaint not directly related to Education Scotland's [remit](#) we would advise you to initially raise your complaint directly with your school/establishment. If you are not satisfied with the school response, you may wish to raise your concerns with the school's proprietor (often a 'Board of Governors') as they are ultimately responsible for the school.

Depending on the nature of your complaint, you may also wish to contact the Registrar of Independent Schools (an official of the Scottish Government) who is responsible for the registration of independent schools in Scotland. The Registrar may be contacted by email at independentschools@educationscotland.gov.scot.

Thank you for taking the time to contact us
Yours sincerely

Enquiries

Annex 3

Education Scotland safeguarding links

National	Head of Inclusion, Wellbeing & Equalities	
Region	Senior Regional Advisor	Senior Education Officer (Inclusion, Wellbeing & Equalities)
Forth Valley & West Lothian	[REDACTED]	[REDACTED]
North	[REDACTED]	[REDACTED]
South East	[REDACTED]	[REDACTED]
South West	[REDACTED]	[REDACTED]
Tayside	[REDACTED]	[REDACTED]
West	[REDACTED]	[REDACTED]
Independent schools	[REDACTED]	[REDACTED]
Scrutiny Safeguarding Lead Officers	[REDACTED] [REDACTED]	

Annex 4

Head of Inclusion / SEO text for sending to local authority safeguarding lead officer

To : Local authority safeguarding contact

Cc : Head of Inclusion & SRA for region

Subject : Safeguarding concern / complaint : **CONFIDENTIAL (& flag)**

Dear

Education Scotland has received a safeguarding concern about a **child / young person** who attends **xxx within xxx authority**. We have notified the person raising the concern that we will pass on this information to the local authority.

Please find below details of this concern.

Please email by return to indicate that you have received this information, including xxx Head of Inclusion, Wellbeing & Equalities & **xxx**, Senior Regional Advisor.

If you require further information, please do not hesitate to get in touch.

Kind regard

Education Scotland

Denholm House
Almondvale Business Park
Almondvale Way
Livingston EH54 6GA

T +44 (0)131 244 4330
E enquiries@educationscotland.gsi.gov.uk

www.education.gov.scot

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