



Ministry
of Defence

**Directorate Children & Young People
Policy Directive 3.2.1**

Safeguarding Children and Young people in MOD Schools overseas

**(Including all MOD Schools overseas, Early Years non-school based settings,
King's Vocational Hub/Participation Skills and Progression Service, Music
Centres and HQ SCE. NOT including Queen Victoria School)**

Version 3 June 2016

Preface

Authorisation

1. JSP 834 Safeguarding Children and young People Part 1 Chapter 3 states all agencies who work directly with children should have in place safeguarding/child protection procedures. This DCYP Policy Directive has been authorised for use by the DCYP Command Group on behalf of the Director, Children & Young People.

Coherence with other Policy and Guidance

2. Where applicable, this document contains links to other relevant policies (including JSPs and Other Government Departments), as listed below

Related Policy and/or Documents	Title
JSP 834	Safeguarding Children and Young People
JSP 740	MoD acceptable user policy
JSP 893	Policy on safeguarding vulnerable groups
JSP 342	Education of Service Children and Young People Part 2: Guidance; Volume 4 Education of Service Children in Early Years Foundation Stage (EYFS) in the UK and overseas
DfE 2015	Working Together to Safeguard Children
DfE 2015	Keeping Children Safe in Education
MoD 1998	Handling matters of conscience, reporting concerns at work and “whistle blowing in the MOD – the Public Interest Disclosure Act (PIDA)’
DCYP/SCE 2015	Record keeping and management of child protection information – including guidance on consent
Ofsted 2015	Common Inspection Framework: Education, Skills and Early Years
DfE 2014	Preventing and Tackling Bullying – Advice for Head Teachers, Staff and Governing Bodies
DfE 2015	Protecting children from radicalisation: the prevent duty

Further Advice and Feedback - Contacts

3. The owner of this DCYP Policy Directive is the Assistant Director (Pupil and Family Services). For further information on any aspect of this guide, or questions not answered within the subsequent sections, or to provide feedback on the content, contact:

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Review Date

4. This Policy Directive will be reviewed in May 17.

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Definition

1. DCYP uses the Ofsted definition of safeguarding which has been adopted from the Children Act 2004 and is summarised as follows:

- a. Protecting children from maltreatment
- b. Preventing impairment of children's health or development
- c. Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- d. Taking action to enable all children to have the best outcomes

[Reference: Ofsted Common Inspection Framework, education, skills and early years](#)

2. DCYP therefore works to the wider context of 'safeguarding' which includes 'child protection' but encompasses all aspects of a child's world which affect their **overall** safety.

Principle

3. DCYP is fully committed to the 'welfare principle' which underpins the Children Acts 1989/2004. This requires that all practice is informed by the best interests of the child being paramount. Safeguarding work can present challenges and dilemmas. Applying the welfare principle is vital to resolving many of the uncertainties which staff can experience.

Duty

4. DCYP accepts the duties created through legislation and statutory guidance as follows:

- a. Section 175 of the Education Act 2002 (safeguard and promote the welfare of children)
- a. Section 40 of the Childcare Act 2006 (to comply with Early Years Foundation Stage Framework).
- b. Section 26 of the Counter-Terrorism and Security Act 2015 (due regard to the need to prevent people being drawn into terrorism).
- c. Section 74 of the Serious Crime Act 2015 (to report to the police where they discover that Female Genital Mutilation (FGM) appears to have been carried out on a girl under 18).
- d. Disqualification under the Childcare Act 2006, including the update DfE Feb 15 guidance on disqualification by association.

MOD Safeguarding Childrens Board (SCB) Procedures

5. All Ministry of Defence (MOD) organisations work to the [Joint Service Publication \(JSP\) 834](#). This policy Directive applies to all MOD schools and settings overseas and identifies the operational requirements for MOD schools overseas. Queen Victoria School, Dunblane has a separate child protection policy in line with the Scottish Government National Guidance for Child Protection. <http://www.scotland.gov.uk/Resource/0045/00450733.pdf>

6. The MOD SCB has an overview of standards and governance arrangements for safeguarding across the MOD and works with all Command Level SCBs. Local Commands issue

safeguarding procedures as appropriate¹ through their SCB which cover local inter agency arrangements regarding child protection and safeguarding within the framework of JSP 834. MOD schools comply with local command level SCB procedures including nominating a MOD school representative to attend a SCB where local procedures request such.

7. The SCBs covering areas where there are MOD schools or settings are listed below:
 - a. Headquarters British Forces Germany (the HQ BFG SCB includes the European Joint Support Unit (EJSU) covering SHAPE, AFNORTH, Naples and Ramstein)
 - b. HQ BF Cyprus
 - c. HQ BF Brunei
 - d. HQ BF Gibraltar
 - e. HQ BF Falkland Islands

Child protection (Identification/reporting)

8. Child protection is one area that is most frequently associated with safeguarding. Child protection is part of safeguarding and promoting welfare and refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

9. Child protection concerns all agencies and involves:

- a. protecting children from maltreatment, and
- b. preventing the impairment of a child's health and well being.

10. MOD schools fulfil their safeguarding duties through working together with other statutory services i.e. those with the legal duty to investigate child protection concerns. For MOD schools overseas these include:

- a. British Forces Social Work Service (BFSWS) for British Forces Germany (BFG) and EJSU
- b. Soldiers Sailors Airmen and Families (SSAFA) for British Forces Cyprus (BFC), Falkland Islands and Brunei
- a. SSAFA and Royal Navy Royal Marines Welfare for Gibraltar
- b. Service Police including Royal Military Police Special Investigations Branch (RMP SIB)
- c. Contracted health services and/or host nation health services

¹For example in Germany SOBF(G) 3351

MOD Schools Procedures

11. Each MOD school; Music Centre; Early Years non-school based setting (EYNSBS) (0-3); King's Vocational Hub (KvH); and Participation, Skills and Progression Service (PSPS) must have a child protection policy that is reviewed annually. Each of those establishments is to have a Designated Safeguarding Person working to the responsibilities for that role as outlined in the documents '[Keeping Children Safe in Education 2015](#)' and [Department of Education Statutory Framework for EYFS](#)

12. In summary, their duties are to be the reporting focal point for that establishment, to co-ordinate child protection action, to liaise with the appropriate statutory agencies, to advise on issues and procedures and to deliver child protection induction training for all members of staff within their setting.

Allegations against staff

13. DCYP has a separate 'Allegations against staff' policy directive issued by DCYP in June 2016, which is based on the government statutory guidance 'Keeping children safe in education 2015'. It is essential that all managers and all Designated Safeguarding staff adhere to the 'Allegations against staff' policy directive.

Bullying

14. Bullying can be direct (physical, verbal, non-verbal) and/or indirect (cyber-bullying/e-safety). All bullying is a safeguarding issue (for example pupil behaviour and pastoral care) and can also be a potential child protection concern (under the Children Act 1989, if there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm').

15. DCYP works to the requirement of the Education and Inspections Act 2006 and Equality Act 2010 to ensure that measures are in place to prevent all forms of bullying among students. Each MoD school, music centre and KVH/PSPS setting must have an anti-bullying policy that is reviewed annually. EYNSBS (0-3) settings have a policy "Achieving Positive Behaviour" which provides strategies for managing behaviour.

16. DCYP policy is to endorse [DfE departmental advice on bullying](#), 'Preventing and Tackling Bullying – Advice for Head Teachers, Staff and Governing Bodies', October 2014

17. DCYP works with key partners in this area including youth services (for example those provided by AWS), health services (BFGHS/SSAFA), statutory social care (listed in para 10), service police, as well as e-safety and anti-bullying groups.

Attendance, Children Missing Education or Educated Otherwise than at School (EOTAS)

18. Attendance can be a safeguarding issue. For example, children may be deliberately prevented from attending school due to child protection reasons, i.e. if a child has been bruised at home and in order to prevent detection. These concerns are often highlighted through unexplained patterns of non attendance. Attendance has been identified as a particular issue in relation to the sexual exploitation and radicalisation of children. MOD schools work closely with Unit Welfare Officers, Pupil and Family Services and other agencies on attendance issues. Parents have a responsibility to ensure that children of compulsory school age who are registered at a school attend school regularly.

19. Children who are not yet statutory school age and young people who are older than statutory school age but are enrolled in MOD school (previously Service Children's Education,

SCE²) provision are expected to have predictable and transparent attendance. While attendance is not a legal issue for those groups it can be a safeguarding issue and staff should be aware of the need to make enquiries about unexpected and/or persistent absences.

20. 'Children missing education' is an agenda linked to children who are of statutory school age, not enrolled in a school and not in receipt of elective home education. DCYP policy is to raise awareness of this issue with other agencies and to work appropriately with those children/young people identified. This can involve direct contact with those children as well as the involvement of other agencies as DCYP recognises that children who are not enrolled in a school can be particularly vulnerable. MOD school staff will work with unit welfare staff to address any issues of children missing education. Children missing education regulations are currently under consultation and may be amended soon.

21. In accordance with the Guidance 'Ensuring a good education for children who cannot attend school because of health needs', DfE, January 2013 and the SCE Exclusions Policy (2013), MOD schools arrange education and pastoral support, on a case by case basis to children and young people who are Educated Other Than At School (EOTAS), e.g. as a result of health needs, pregnancy, SEN placement breakdown etc.

Domestic violence/abuse

22. Children and young people living in a situation of domestic abuse are a particularly vulnerable group. Domestic abuse incorporates 'domestic violence' and is a nationally recognised term that acknowledges that abuse between adults in a household may not involve actual physical violence and can include enforced isolation, control through financial means etc.

23. All MoD settings comply with the principles in JSP 913 and aims to ensure, that all cases of domestic abuse are notified to the social care providers (as per para 10) for investigation as a possible case of child abuse. . <https://www.gov.uk/government/collections/domestic-abuse-guidance-and-support-for-the-armed-forces-community>

Protecting children from radicalisation

24. DCYP works in accordance with the guidance 'Keeping Children Safe in Education' 2015 and works to protect children from the risk of radicalisation by being alert to behaviour which could indicate they may be in need of help or protection.

25. DCYP policy is to endorse the [DfE departmental advice on Prevent](#) and it addresses the four themes of: risk assessment; working in partnership; staff training and IT policies.

26. DCYP endorses the Channel training programme detailed in [Channel guidance - Publications - GOV.UK](#). Available at; [ncalt channel training](#)

Female Genital Mutilation

27. DCYP works in accordance with the guidance 'Keeping Children Safe in Education' 2015 and is alert to the range of potential indicators that a girl may be at risk of FGM, or has already suffered FGM. DCYP complies with the mandatory reporting duty under Section 74 of the Serious Crime Act 2015 to report to the police where they discover that FGM appears to have been carried out on a girl under 18. DCYP endorses the guidelines for Schools, chapter 9 in joint Home Office and Department of Education [multi agency practice guideline publication](#).

² SCE is part of DYCP and was re-titled as MoD schools in 2016. The titles are currently interchangeable. Some policies are yet to be updated and the SCE title is still in circulation.

E-safety

28. E-safety aims to safeguard children and young people in the digital world. It includes learning to understand and use technologies in a positive way. It supports children and young people, in an age appropriate way, to develop safe online behaviours, both in and out of school. E-safety is included in the 2014 National Curriculum for Computing, and all MOD Schools have e-safety/computing coordinators. E-safety is about people keeping themselves and others safe while online with regard to content, communication and commerce.

29. The separate e-safety policy issued by SCE in November 2011, (which is informed by the best practice documentation from the South West Grid for Learning) remains applicable for MOD schools and all establishments works with JSP 740 which is the MoD 'Acceptable User Policy'.

30. All schools are required to have their own 'Acceptable Use Policy (AUP)' reviewed on an annual basis. DCYP endorses Cabinet Office guidance, 2012, which makes clear that online conduct is covered by the expectations of the civil service code of conduct. DCYP is clear as to professional standards that are expected given any conduct has implications for a person's suitability to work with vulnerable children and young people.

31. MOD Schools utilise a range of resources and guidance, e.g. issued through Child Exploitation and Online Protection (CEOP) and other organisations and liaise with partner agencies, e.g. RMP, to deliver a comprehensive e-safety programme within schools.

Restrictive Physical Intervention

32. On very rare occasions it can become necessary for a responsible adult to intervene physically to ensure the safety of a pupil or to prevent a serious incident. MOD schools are required to follow the existing 'SCE Policy on Restrictive Physical Intervention (RPI)' as issued May 2013, and must have their own RPI policy. A model school RPI policy is included as an annex to that SCE policy. For EYNSBS (0-3) settings, and in accordance with setting policy and procedures, staff may use physical restraint, such as holding, only to prevent physical injury to children or adults and/or serious damage to property. DCYP endorses DfE departmental advice on behaviour and MOD schools are to refer to [Behaviour and discipline in schools - Publications - GOV.UK](#) and [Ensuring good behaviour in schools: summary - Publications - GOV.UK](#)

Safer working practices

33. DCYP endorses the Safer Recruitment Consortium who work with DfE and produce guidance on safer working practices. This can be found at: www.saferrecruitmentconsortium.org/

34. DCYP endorses the principles that all staff and volunteers will work in a way that is both appropriate and transparent. The government guidance is based on those principles and that results in all adults being expected to work in ways that are appropriate to their work context and in a way that is fully transparent and accountable to line management. For example, there are particular issues involved with all age groups, e.g. routine physical contact with very young children is very different from physical contact with teenagers; lone working should always be risk assessed, or existing policies observed as with early years settings, when adults do not supervise children on their own and always in sight of another member of staff; the requirements of musical instrument tuition and sports are very different from those to traditional classroom based lessons; work on a residential trip is different to that during school hours etc.

35. The safety of children, young people and adults is paramount. All adults are able to take advice and guidance from line management as well as from locally based Pupil and Family Services staff.

Whistle blowing

36. All MOD schools and settings are to ensure staff have access to the MOD whistle blowing policy and highlight to staff how to raise concerns about poor or unsafe practice. Schools are encouraged to have their own whistle blowing policy. The MOD policy on Whistle blowing and raising a concern Policy, which can be found on the DBS website; [DBS concerns and whistleblowing](#)

Recording

37. Clear, appropriate recording is essential in terms of accountability and allows for the greater protection of both children and staff, across the spectrum of need, from early help to child protection. SCE distributed guidance to schools “Record keeping and management of child protection information – including guidance on consent” re-issued in April 2015 and which remains applicable to MOD schools.

38. DCYP is fully committed to data protection and educates its staff to understand that in a child protection context data protection is not a barrier to sharing information but is an obligation to work to professional standards of data management. The welfare principle also applies to the use and sharing of information. If the best interests of the child are addressed by sharing information (for example with statutory agencies) then legislation supports that.

39. DCYP subscribes to the DfE departmental advice on Information sharing: [Advice for practitioners providing safeguarding services to children, young people, parents and carers 2015](#).

40. DCYP endorses the ministerial information sharing circular March [2015 ‘joint commitment to share information effectively for the protection of children’](#).

Recruitment

41. DCYP policy is fully compliant with ‘Keeping children safe in education 2015’, i.e. that at least one person on any recruitment panel has undertaken safer recruitment training which sets out procedures and strategies to help those involved in the recruitment process to deter, identify and reject applicants who are unsuitable to work with children.

42. Safer recruitment training is delivered locally through online training. The BFG Safeguarding Board has online access through: <http://bfgnet.de/safeguarding>. Overseas access through the NSPCC at: <https://www.nspcc.org.uk/what-you-can-do/get-expert-training/safer-recruitment-education-course/>

Training

43. MOD Schools policy is that all staff complete **Level 1** - Induction Child Protection Training and **Level 2** - single agency Basic Awareness safeguarding training. That includes all UKBCs, dependants, Directly Employed Labour (DELs) and HQ SCE staff.

44. In BFG, BFC and Naples Level 2 is delivered by P&FS staff. Agreements are in place for this training to be delivered by SSAFA social workers in Brunei, the Falklands and Gibraltar. All staff have access to an appropriate course and where necessary arrangements can be made for this to be accessed via VTC.

45. Each MOD school and setting (School, Music Centre, Early Years (0-3) and KVH/PSPS setting as well as HQ SCE) is expected to maintain a Single Central Record, which includes a record of all safeguarding training undertaken by every member of staff. School SCR are inspected by Ofsted and all other settings will have their SCR reviewed by the appropriate external or internal inspection/review arrangements. The SCR includes the dates safeguarding

training was completed (and therefore needs to be renewed), registration dates and numbers for CRB/DBS checks, 'prohibition of teachers' list checks etc.

46. Those staff with particular responsibilities for safeguarding, e.g. Designated Safeguarding Persons responsible for safeguarding, and members of Senior Leadership Teams, are also required to complete the **Level 3** - Multi Agency safeguarding training (Level 3). Training is provided locally as per para 41.

47. DCYP staff are supported to access other safeguarding related training as appropriate and with the agreement of an individual post holders line management. Any questions/queries from post holders or line managers can be resolved through contact with the SCE Safeguarding Manager.

Disclosure and Barring

48. DCYP fully complies with the Government Disclosure and Barring Service (DBS) both in terms of recruitment as well as monitoring practices of people working or volunteering with children. DCYP works diligently to ensure that necessary DBS checks are undertaken and complies with the MOD requirement, under JSP893, for people to renew DBS checks every five years.

49. DCYP works within the context outlined in MOD JSP834, which recognises that certain MOD staff recruited directly overseas (from non UK locations) may not be able to access a DBS Check. DCYP policy is to ensure that other checks, such as good conduct checks from local police forces, are sought.

50. DCYP recognises that disclosure and barring is one aspect of a safer working environment and highlights the need to all managers to maintain safer working practices in their setting.

51. Responsibilities and functions for disclosure, barring and monitoring are divided between the Defence Business Services (DBS); Command agencies responsible for Employment Disclosures, e.g. HQ BFG Employment Disclosures (in NWE); and line managers (including head teachers and those within HQ SCE).

52. DCYP policy is to highlight the national guidance and resources which are available through the Disclosure and Barring Service on the Home Office website; [Disclosure and Barring Service - GOV.UK](#)

Vulnerable groups

53. All children and young people need safeguarding in one form or another. However, some are more susceptible to risks than others, and may experience poorer outcomes if their needs are not met. Identifying and supporting individual children and young people within these vulnerable groups is a priority for MOD schools and settings.

54. Groups include:

- a. Children with SEN and disabilities
- b. Children with English as an Additional Language
- c. Children missing education
- d. Children who are 'in need' or who have 'child protection plans'
- e. Children in care
- f. Children at risk of sexual exploitation
- g. Children at risk of female genital mutilation
- h. Children placed for adoption or who are adopted
- i. Young carers

- j. Some minority ethnic children
- k. Lesbian, gay and bisexual pupils
- l. Transgender pupils
- m. Pupils who are pregnant
- n. Children at risk of being drawn into extremism

55. Other groups exist within the UK which would not normally be relevant to overseas MOD locations such as:

- a. Asylum seeking and refugee children
- b. Homeless children and young people

56. DCYP policy, in accordance with the Section 175 of the Education Act 2002; Section 40 of the Childcare Act 2006; Children Acts 1989/2004; and Working Together to Safeguard Children 2015, is to work with other agencies to ensure best practice.