**Child Protection Record Transfer**

**Frequently Asked Questions.**

The following responses to frequently asked questions will provide you with local advice to inform your decision making. These are based on guidance from Keeping Children Safe in Education (KCSiE), the Information Commissioners Office and the Information and Records Management Society (IRMS) toolkit for schools.

Where there is no statutory guidance to support the FAQ, the answer will start with ‘Local Guidance’ to signify that this is not statutory.

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***What is the child protection record?***

Government guidance expects all concerns, observations or disclosures received by staff to be recorded and shared with the DSL.

The records that are made, along with details of action taken and decisions made, need to be collated and stored in a safe and secure way so that the full record is only accessible by specific staff.

The record may be electronic or paper based.

*[Local Guidance]*

The child protection file may include a chronology, or summary (see annex 1).

Internal information may include concern forms, attendance printouts, referral documents.

External information may include letters, emails and reports from external agencies.

You may have copies of meeting records, reports and minutes and copies of any plans that have been formulated from these meetings.

***Does this get included in the Common Transfer File (CTF) and transferred by the school2school system?***

No. The child protection record contains sensitive information and should only be viewed by the DSLs and others that have a need to know.

***Does passing the file breach GDPR?***

The simple answer is no. Safeguarding comes under the category of ‘public task’ for the legal basis of sharing information. The expectation of Keeping Children Safe in Education (KCSiE) is that the child protection file **must** be shared with the new school to allow the school to look for patterns or repeat concerns when new information is received. See the DSL role profile; Annex C in KCSiE.

***When do I transfer the file?***

The expectation is that the file is passed over as soon as possible so that the receiving school is aware of any issues or on-going concerns. Good practice would suggest that this is within the first week of the new term when it has been confirmed that the pupil has moved school.

KCSiE (Annex C) is clear that information must be provided as soon as possible, and the DSL can also consider providing information to the receiving school prior to the child starting where there is a need for support or awareness to be in place.

***What is not included in the CP record for transfer?***

From the IRMS guidance: [IRMS Schools Toolkit - Information and Records Management Society](https://irms.org.uk/page/SchoolsToolkit) the following records should not be transferred to the pupil’s new school:

* Attendance registers
* Absence notes and correspondence
* Medicine consent and administration records
* Photography (image) consents
* First aid records

***What do I transfer?*** *[Local guidance]*

There is a need to ensure that what is being passed over is information which is relevant to safeguarding. Anything that is not clearly safeguarding in nature is not covered by the lawful basis of information sharing, and so a review to sift and filter the record is required. Any duplicate records can be removed.

All other records, including information passed on from previous education providers (including early years) should be transferred.

***Can I share third party information such as police and social care reports?*** *[Local guidance]*

In short, there is no simple answer. The requirement to keep information within required retention schedules lies with the creator of those reports.

Police reports

You may well have CYP or PPN1 reports from the police within your child protection file. This information is usually shared when the child is present during police attendance at a property where the child lives. The information is shared to make you aware of potential safeguarding concerns and look to provide support as needed.

Our *advice* in cases where the child **is not** the suspect or victim of the crime, is that any reports received more than 4 months ago should not be transferred. However, as this was a potentially significant event, there should be a record of

* Date of incident
* Crime reference number (*for Hampshire police this starts with 44 and then the year of incident i.e., a number starting 4420 would be a report received from Hampshire in 2020*)
* Brief summary of what the report contained i.e. report about a domestic abuse situation. Mother the aggressor and father the victim in this case. Child not present at the time.

This could be in a chronology or on a record sheet inserted at the right point in the file.

Where the child **is a victim** and the investigation is on-going or they are still receiving support, then there is a valid reason for passing the full report onwards.

Where the child **is the suspect** in a crime, then this would remain in the child protection file as it may contain useful safeguarding information for the pupil and others in the school.

Social care records

If the child is still subject to a plan being managed by social care, then our advice would be that the most recent assessment and plan, along with dates of future meetings should be passed over.

In addition, the details of the social worker, case holding team and conference chair (if they are on a child protection plan) should be provided to the new school.

Any reports generated by education (including early years) for CP conferences are all retained in the file as these have been created by education and so education holds these.

If there has been social care involvement that has finished, then our *advice* is any papers or documents related to the process do not need to be passed across. However, as these are significant events, a summary should be recorded which includes:

* Date of referral and by which agency (if known).
* Reason for referral to be made.
* Type of plan that was used.
* The date of any change either escalation or de-escalation.
* The reason for escalation or de-escalation.
* Who was considered a risk, and who was considered protective?
* The key role for education.
* Date of closure.

***What if I receive a Police report for a child who has left the school or who is not at my school?*** *[Local guidance]*

When Police are called out to a situation involving a child, or where a child is in attendance, a PPN1 report is generated. The police will ask the child or their family for the name of the school that the child attends and this is added to the form.

If the report is an Operation Encompass report, it is sent out by the police and they have worked on the information the child or family have provided them with.

For all other PPN1 reports, social care will check the admissions team data from Capita to verify which school a child attends.

Where the school’s admissions are not managed by Hampshire, or the child has left to go to a new school, the data may not be in date and so you may receive a report that has been sent in good faith, but the child is not on roll with you.

Reply to the email address that has sent over the report to you and inform them that the child is not with you currently or has never been with you. If you are aware of the current school of the child, this could be noted in your response.

If you believe that the child is being home educated, then inform the police or social care of that information as well.

Once you have informed the team who sent the email, delete the report and confirm to police/social care that this has been done.

***Does information from health get transferred as well?*** *[Local guidance]*

Your first consideration should be “is this information safeguarding related?”

For contextual safeguarding awareness, the DSL at the receiving school or college will need to have access to background information. The following examples are not an exhaustive list, but give an indication of what may be included as safeguarding information:

Details such as self-harming, suicide attempts, mental health concerns that could place the child at risk.

Information about hospital admission for drug or alcohol misuse.

Information about non-accidental injuries (NAI) which have been provided to the school suggesting safeguarding concerns.

Any health information that is not safeguarding related, for example about on-going or long-term health needs, should either be recorded in an individual health care plan for the pupil or transferred in some other way with the consented agreement of the parent(s)/carers.

The school nursing team may well have provided verbal information which is useful for a safeguarding perspective. This should be recorded on either a chronology or a recording sheet and ideally include the date information was provided, who provided it and any action that was taken as a result of the concern being raised.

***How do I transfer electronic records?*** *[Local guidance]*

More schools are making use of software that is specifically designed for child protection records in schools. Software such as CPOMS, MyConcern, Safeguard, Safeguard My School, SIMs, CURA, among others, allow for all staff to record concerns and for the DSLs to be able to monitor patterns and be notified of concerns.

Many of these packages will allow for automatic transfer when another school using the UPN for the pupil adds it to their system.

Before transferring the record to the new school, you may want to consider carrying out a similar sifting exercise, so only information that is in the category of ‘public task’ for safeguarding is shared.

If the receiving school uses an electronic recording system that is not compatible with your system, then you can either send them a PDF or hard copy of the electronic record.

***Chronologies and summary sheets*** *[Local guidance]*

Children will have varying sizes of child protection records. A proportion of children will have no child protection record, and for some it may be two or three separate sheets where concerns or observations have been recorded and no action was required or a conversation with the parent(s)/carer(s) resolved the issue.

These situations would not require a summary sheet or chronology to be completed.

Child Safeguarding Practice Reviews repeatedly highlight that transition points are a risk to children as information and knowledge that is held by the previous school can be lost when the child moves school.

Where the file is either large, complex or current then a summary sheet, such as the exemplar one included (annex 1), allows you, as a sending school, and the DSL in the receiving school to be clear about what the current concerns are, what agencies are involved and if there are any risk factors that need to be taken into consideration as a priority. This information can also be provided prior to the pupil moving school (see KCSiE Annex C).

A chronology can be equally useful in recording what is in the file and for patterns of concerns to be identified.

***Do we need to keep a copy of the file?*** *[Local Guidance]*

Previous advice was that a copy of the child protection file was sent to the new school and the original was kept by your school.

This advice changed a few years back and is now in line with GDPR expectations. The current advice is that the record is transferred to the receiving school and a receipt is gained to confirm that they have received it and will pass it on to any future education provider who educates the child (under 18).

The purpose of the record is to safeguard the child and so is relevant to the receiving school and not to your school. If you hold on to a copy and the child is no longer at your school, you will need to have clear consent from the parents, or child, to hold that information as you are no longer an involved agency supporting the child.

You may choose to have a period of delay in the destruction of any copy of the record to ensure that the file has been received and that the child has started in the new establishment, but this should be a minimal timeframe to fall into the ‘as long as necessary’ definition.

***When I receive a file, can I destroy information that I think is irrelevant?*** *[Local guidance]*

By the time a child arrives at college or 6th form, even without in phase transfer, they could have records from pre-school, infant, junior and secondary school within a child protection file.

Each phase will have transferred information that was relevant at the time and may be needed in the future if non-recent abuse disclosures are made.

While the file may be large, unless the information is clearly not safeguarding related – i.e., child had a dirty nappy, child hit head at school etc. – then while it may not be a significant issue now, it has historical relevance and should be kept.

***How should the records be transferred.***

KCSiE reads *“*Where children leave the school or college (including in year transfers) the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term*.”*

In order to ensure secure transfer, the following options are available.

**In person transfer** [Local guidance]

This is the most secure form of transfer of record. A signed confirmation should be gained for audit purposes from the receiving school. The files should be handed to someone who has the appropriate position to receive them and ensure the on-going security and safety of the file(s). The files can be either delivered by the ‘sending’ school or collected by the ‘receiving’ school.

**Other forms of transfer (ICO guidance)**

*Post*

To ensure security of transfer, records should not be sent by post unless absolutely necessary.

If they are sent by post, they should be sent by ‘Special Delivery Guaranteed’ or by a reputable and secure courier to a pre-informed and named individual.

*DVD or CD*

If information is sent by disc, the information on it should be encrypted or password protected in a way that is accessible by the receiving school. While you are able to use specialist encryption software to secure the data, this often requires both settings to have the same software. If the records being transferred are PDF or Word files, these should be password protected with the password being transferred via a separate communication channel to the disc.

*USB*

As with discs, any data on USB sticks should be encrypted or password protected. Some USB devices come with built in hardware encryption which will work if the network policies of the receiving school limit USB functionality as part of the security measures.

*Email*

Email can be encrypted in a way that allows secure transfer and there are several email options or add ins that allow for encrypted or secure email.

The alternative is to send an encrypted or password protected attachment. It is important that the password is sent via a separate communication channel to the email.

Prior to using email, it is essential that the email address of the recipient is checked and confirmed that it is still the right individual to send the file to.

*General principles*

Regardless of method of transfer, the records should be separated into individual files and each secured in a way to prevent accidental loss of sensitive data.

An exemplar receipt for use with record transfers has been included in this document as annex 2.

***What about Dual Registered Children?*** *[Local guidance]*

Where children are dual registered (e.g. on roll at a mainstream school, but receiving education in another establishment, such as an education centre) details of any existing child protection records should be shared between both establishments prior to the child starting at the second establishment and throughout their placement to enable them to support the child appropriately

***Children taken off roll for Elected Home Education***

Where a parent elects to remove their child from a school roll to home educate, any safeguarding concerns should be raised with the Inclusion Service and the child protection file retained as per the retention schedule.

Consideration may need to be given to making a children’s social care referral if there have been on-going concerns, in order to make social care aware that the child is no longer being monitored at school.

***Permanent Exclusion***

When a child is permanently excluded, it is important that the establishment providing all, or a substantial amount of a child’s education, following the exclusion has any child protection records relating to the child as soon as possible. The excluding school should make arrangements for child protection information to be transferred to the education provider as soon as possible – this should not be delayed until after the exclusion hearing or appeal. If an exclusion is not upheld, the education provider will need to make arrangements to transfer the information back to the home school.

***Transferring Child Protection information to Apprenticeships and/or places of work***

DFE requirement for transfer of files applies only to Education settings. An apprenticeship provider is an employer and therefore would not fall under the requirement. If the apprenticeship includes a college placement, then the file can be transferred to the college.

**Annexes**

In the pages following are copies of the front sheet and file transfer receipt.

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| --- | --- |
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Annex 1

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Child Name |  | | | | | |  |
|  |  |  |  |  |  |  |  |
| DoB |  | |  | Identified Gender |  | |  |
|  |  |  |  |  |  |  |  |
| Address |  | | | | | |  |
|  |  |
|  |  |
| Post Code |  |
|  |  |  |  |  |  |  |  |
| Parents / Carers details |  | | | | | |  |
|  |
|  |  |  |  |  |  |  |  |
| Are there current concerns? | | |  | Yes / No | | |  |
|  |  |  |  |  |  |  |  |
| Summary if Yes |  | | | | | | |
|  |  |  |  | *Continue on separate attached sheet if required* | | |  |
| Are they currently open to Children’s Social Care? | | |  | CLA / CP / CIN / Early Help / YOT / No | | |  |
|  |  |  |  |  |  |  |  |
| If yes | Key Worker |  | | | Tel no. |  | |
|  |  |  |  |  |  |  |  |
| Do they have any other plan | | |  | EHCP / IBMP / IEP / Other / No | | |  |
|  |  |  |  |  |  |  |  |
| ***Under GDPR there is a requirement to verify information is up to date and checked. Please tick the shaded boxes to confirm data that has been verified in the last 12 months. If data cannot be verified, please record last date it was checked*** | | | | | | | |
|  |  |  |  |  |  |  |  |
| Other information that may be useful | | |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |
| Completed by | |  |  | School |  | | |
|  |  | | | Role |  | | |
|  |  |

Annex 2

**To Be Completed by Sending / Transferring School Or Educational Setting**

|  |  |
| --- | --- |
| Childs Name: |  |
| DOB: |  |
| Name of Sending School: |  |
| Address and DfE number of Sending School |  |
| Delivery Method: | In person / Secure and tracked post / Electronically |
| Date file transferred: |  |
| Name of DSL transferring file: |  |
| Signature: |  |

**PART 2: To Be Completed by Receiving School Or Educational Setting**

|  |  |
| --- | --- |
| Name of Receiving School: |  |
| Address and DfE number of Receiving School: |  |
| Date received: |  |
| Name of DSL receiving file: |  |
| Date receipt sent to sending school: |  |
| Signature: |  |

**By signing this receipt, I am confirming that I will keep the child protection file that has been transferred to my school. The DSL of my school will include this child protection file with any additional records collected during the time the child is educated by us and forward to the next receiving establishment or retain as per our retention schedules. A copy of this receipt will be retained by my school**

***Receiving school / educational setting:*** *Please complete Part 2 and return this form to the Designated Safeguarding Lead listed in Part 1 above.*