



Children's Services

SCHOOL SAFEGUARDING PRACTICE GUIDANCE: DROP OFF COLLECTION OF CHILDREN SUCCESSFULLY

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Section One : Introduction

What is the purpose of the guidance?

This practice guidance has been written to assist the Designated Senior Person for Child Protection (DSP) in considering drop off and collection arrangements for children, to ensure effective safeguarding practice.

Who is it for and when should it be used?

The guidance is mainly relevant to staff working with primary aged children, although will also apply in some circumstances to older children with additional needs.

It is for schools to use in circumstances where:

- children are collected late
- children are not collected
- it is not safe for children to go home unaccompanied
- there are concerns about supervision before and after school (childcare by a sibling/child walking to or from school alone)
- there are concerns about a parent/carer's ability to offer safe care, because they are under the influence of alcohol/drugs or there are concerns about their mental health state

References to parents in this guidance can mean a parent or carer. References to a child means those aged 0 to 18 years. References to schools includes maintained (including aided and foundation schools), non maintained, pupil referral units, independent schools (including academies and city technology colleges) and FE colleges (where students are under the age of 18).

This guidance should be read and applied in conjunction with existing safeguarding policies in the school. It is for reference only and should be used to inform the local drop off and collection procedures developed by schools, which reflect the services they offer. Non-maintained schools should seek their own independent legal advice on any matters to which this guidance relates.

What is the legislative framework?

Section 175 of the Education Act 2002 requires local education authorities and the governing bodies of maintained schools and FE colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. In addition, those bodies must have regard to any guidance issued by the Secretary of State in considering what arrangements they need to make for the purpose of that section.

Section 157 of the Education Act 2002 and The Education (Independent Schools Standards) (England) Regulations 2010 – require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

***Safeguarding Children and Safer Recruitment in Education, DfES 2007
DfES 2007 and Working Together to Safeguard Children, DCSF 2010***

Safeguarding arrangements should include consideration of the procedures for dealing with children who are late to be collected or are not collected at the end of a school day/ authorised school activity and where the Governing Body or Proprietor retains responsibility for the use of school premises. It also applies where staff have concerns about effective care by the person collecting the child and the impact of this on the child's safety outside of school, in line with *Safeguarding Children and Safer Recruitment in Education, DfES 2007 and Working Together to Safeguard Children, DCSF 2010*.

Other legislation relevant to this guidance:

Children Act 2004

Children Act 1989

Children and Young Persons Act 1933

Occupiers liability Acts 1957 and 1984

(Links to these documents can be found in Appendix 4)

Section Two: Admissions information

When a child starts at the school, parents/carers should be given information on the school day and routines, as well as expectations around punctuality of drop off and collection of children. It should be made clear that school staff are responsible for the children during school opening hours, but they have other commitments once their teaching day has finished.

Parents/carers should be made aware of any other relevant policies/guidance in place, in accordance with the school's child protection policy, including information relating to:

- children walking to/from school alone
- a sibling accompanying a child to/from school on a parent's behalf
- what will happen if the parents/carers are late to collect their child
- what will happen if the parents/carers fail to collect their child
- what will happen if parents/carers are not considered able to offer safe care of their child (e.g. due to drugs/alcohol/poor mental health)

It would be beneficial to include all of these areas within the home-school agreement which parents/carers are then asked to sign. If a related issue should then arise, it gives a framework to address this by working in partnership with the parents.

It must also be ensured that when a child begins at the school, parents/carers supply key information such as:

- ✓ Names and full addresses of parents/carers (including confirmation of parental responsibility/ private fostering arrangements* and copies of any legal orders)
- ✓ Information about any person who has been denied legal access to the child (and copies of any relevant legal orders etc)
- ✓ Home address and telephone number/s
- ✓ Place of work and work telephone number/s
- ✓ Mobile phone numbers where appropriate
- ✓ Emergency contacts who may be called in the event of the parents/carers being unobtainable or in the case of an emergency

Schools should decide where this information will be kept, who will have access to it and there should also be a system in place to make sure the registration details are kept up-to-date.

*Private Fostering is an informal arrangement where a person looks after somebody else's child under the age of 16 years (or 18 years if the child has disabilities) for more than 28 days, when they themselves are not a close relative of the child and do not have parental responsibility for the child. A placement may have been arranged by the child themselves or by a parent but not by the Local Authority. The birth parents retain full parental responsibility for the child and for the making of all decisions in respect of the child. **If you become aware that a child is being privately fostered and this arrangement has not been assessed, this needs to be referred to Children's Services: Safeguarding and Specialist Services via the Customer Service Centre (0300 123 4043).** The Local Authority will make visits to the family to assess the suitability of the private foster carer and to ensure the child's welfare is safeguarded and promoted. For more information about Friends and Family Care, Private Fostering and Close Family Care, see www.hertsdirect.org/docs/pdf/c/csf007privfost.

Section Three: Supervision before and after school

Living Streets, a national charity that launched the Walk to School Campaign in 1994, suggest that most school age children should be able to walk twenty minutes (around one mile) to and from school. The average distance to primary school is under 1.5 miles.

Children walking to and from school alone

"There is no law prohibiting children from being out on their own at any age. It is a matter of judgement for parents to decide when children can play out on their own, walk to the shops or school".

Is it Legal? A parent's guide to the law' by the Family and Parenting Institute (June 2011)

There is no set legal age that children can walk to and from school independently or be left on their own. It is an offence, however, to leave a child alone if it places them at risk and therefore schools have a continual obligation to alert relevant authorities if they believe this is the case. This could, theoretically, include the school journey.

*“(1) Cruelty to persons under sixteen
If any person who has attained the age of sixteen years and [has responsibility for] any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons, or exposes him, or causes or procures him to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour, and shall be liable....”*

Section 1 of the Children and Young Persons Act 1933

The NSPCC advise the following:

- children under 8 should not be outdoors for a considerable length of time unaccompanied
- children under the age of about 12 should not be home alone for more than a very short period of time

Schools are only responsible for safety on the school journey where they have specifically arranged transport (**see Section Seven below**). Schools cannot legally prohibit cycling for the school journey, but they are entitled to prohibit bikes from being brought onto the school grounds.

If parents choose to let their child travel to/from school independently, then they should assess the risks associated with the school route and their own child's confidence. Parents should work with their children to build up their independence, while walking to and from school together, through route finding, road safety skills and general awareness. The most important factor to consider about suitability of a child walking to/from school alone is any **risk to the child**. Good practice would be to have a discussion with parents about the school's view and identify alternative options if necessary, e.g. another parent taking the child home. Schools can support parents in decision making and consideration of risk about children being home alone and school transport arrangements by using the **checklist for supervision of children before/after school** (below).

If the school is in agreement for the child to make their own way home, the school will need to consider registration arrangements when the child leaves the building and schools should ask the parent to write a letter to confirm the procedure; ensuring that this is reviewed regularly. As in the earlier sections, it will need to be made clear to parents/carers that the responsibility for their child's safety rests with them.

Supervision on school site

Where schools allow children onto the premises before the school day begins, the school has to reasonably ensure that there are no inherent dangers (*The Education Act 2002; Children's Act 2004; Occupiers Liability Acts 1957 and 1984*).

It is for the school to decide on the appropriate supervision on school site before the beginning of the day, bearing in mind the number of children involved, their ages, the type of playground and what the parents have been told about their children arriving early.

A Head Teacher can direct staff to supervise early arrivals at school only if that is a reasonable instruction, bearing in mind their job, conditions of service and job descriptions. In the case of teachers, any such time must be included in the teacher's directed time. It is important that members of staff know what is expected of them and when. These arrangements should be made with consensus. Parents can reasonably be expected to understand, however, that the school cannot make an open commitment regarding supervision. It would help if the school prospectus sets out details of morning supervision arrangements, stating exactly when the school will take responsibility for children and adding that before then there will be nobody to supervise the children and therefore the welfare of the children is parent's responsibility.

Drop off and collection by older siblings

It is the parent/carer's responsibility to ensure that the child is dropped off and collected by a responsible person if it is not safe for the child to walk home unsupervised. There is no minimum age set in law when a young person is allowed to remain in charge of another child, however it is an offence to leave a child alone if it places them at risk. This can include in the care of an older sibling if the level of supervision is 'likely to cause unnecessary suffering or injury to health' (*Children and Young Persons Act, 1933*). Therefore parents/carers must understand and be prepared to take responsibility for anything that should go wrong in their absence. They are also responsible for the care and safety of their eldest child, even while that child is acting in a caring role for younger siblings.

The suitability of a sibling caring for a younger child needs to be considered on a case by case basis, by a judgment of the potential risks of this arrangement; the maturity of the child collecting/being collected; the length and nature of the journey home, the behaviour and relationship of the children collecting/being collected. Please see checklist within this section for further factors to consider.

Many schools allow siblings over the age of 14 to drop off or collect a child, however The Royal Society for the Prevention of Accidents and the NSPCC recommend that no one under 16 should be left to care for a younger child.

It is known that when parents supervise their children it reduces the chance that a child will be injured. However, when older siblings supervise younger children there is an increased risk of injury.

The idea behind the research was to explore why the risk of injury to young children increased when they were supervised by older siblings. The researchers found that mothers were more likely to spot and remove hazards, whereas older siblings were more likely to interact with the hazards in front of the younger children (for example, an older child may make themselves a hot drink and put it within reach of a young child, whereas the mother would be more likely to keep hot drinks well away from toddlers).

It is well known that younger children tend to copy their older siblings - and indeed, this was found to be the case during the study. Children also behaved in a more risky manner when they were supervised by a sibling; however, their sibling babysitters were less attentive to that risk than their mothers would be. The problem was compounded by the fact that young children were less likely to listen to their siblings when asked to stop risk taking.

In conclusion, the researchers found that both the behaviour of the younger children and their supervisors contributed to the increase in injury risk when older siblings supervise younger ones.

Excerpt taken from “Please keep an eye on your younger sister”: sibling supervision and young children's risk of unintentional injury: Injury Prevention, August 2010.

The web link to the full study is available in **Appendix Four**.

Schools should have a local policy in place stipulating the age at which it would be permitted for another young person to drop off or collect children from school. If schools are aware that parents are allowing an older sibling to look after a younger child, it would be good practice to provide information to parents/carers to assist safe decision making about the arrangements (see **checklist for supervision before/after school**). If parents have given permission for older siblings to collect /drop off younger children this should be recorded. If the school has any concern that older siblings are not competent to take younger siblings to and from school or there are concerns about any child's safety or welfare due to these arrangements; this must be raised with the parent (ideally in advance of collection) and if alternative arrangements are not made, a safeguarding referral made to Children's Services where necessary.

Extra-curricular activities

The same procedures for drop off and collection can be applied to extended school activities, where the activity is provided by the school. Safeguarding concerns are reported to the DSP, who will decide on the appropriate response.

Where the activity is provided by an external organisation, it is the responsibility of that organisation to identify and respond to safeguarding concerns, including those arising from drop off and collection issues. The school governing body should ensure that as part of the service level agreement, the organisation has confirmed that:

- level one safeguarding children training has been completed by staff
- a child protection policy is in place
- an appropriately trained designated member of staff is responsible for responding to safeguarding concerns.

Checklist for supervision of children before/after school

The following factors should be considered when children are left unsupervised at home; walking to/from school or in the care of a sibling:

- Has the parent/carer considered the risk/s posed by leaving their child alone. walking to/from school or in the care of a sibling?
- How old is/are the child/ren?
- How mature is/are the child/ren? What is their level of understanding/awareness about being unsupervised/walking to or from school?
- How comfortable is/are the child/ren with the arrangements (this includes the younger child and the older child who is acting as 'carer')?
- Where will the children be left? Is this a safe place?

- How long, and how often, will the child/ren be left?
- Is the home environment safe and secure? Has the parent/carer assessed the home environment/journey to or from school for risks? Has the older child or 'carer' been involved in this risk assessment?
- How far will the child/ren have to walk (if appropriate)?
- How far away will the parent/carer be? Will they be easily contactable?
- Do any of the children (this also includes the older sibling or 'carer') have additional needs – medical, emotional, behavioural, learning difficulties/disabilities? How will these needs be met in the parent/carer's absence?
- Does the child or sibling caring for another child know what to do in an emergency? Does the child know who they can contact in case of an emergency? Have instructions been left e.g. in case of a fire?
- What are the expectations of the child/ren during this time? i.e. are they expected to cook for themselves etc.?
- Does the child have knowledge about how to keep themselves and younger siblings safe e.g. road safety, not answering the door to strangers, cooking etc?
- What is the level of knowledge when it comes to first aid?
- How well do the siblings get on? How will tension be managed in the absence of the parent/carer?
- Are the children clear about rules and boundaries of what they can and can't do while parents/carers are out? If they are looking after a younger sibling, do they have the confidence and authority to implement these rules consistently? What will they do if the younger children misbehave?
- Is the home environment safe and secure? Has the parent/carer assessed the home environment/journey to or from school for risks? Has the older child or 'carer' been involved in this risk assessment?

Section Four: Factors that may compromise a parent/carer's ability to offer safe care

The use of drugs/alcohol or the presence of mental health difficulties does not in itself necessarily mean that the parents/carers are uncaring, incompetent or unable to offer safe care to their child/ren. However, if the extent of a parent's own needs mean that they cannot keep the child safe from harm, then a safeguarding referral to Children's Services is required.

'Drugs' in this context refers to all drugs including medicines, volatile substances, alcohol, tobacco and illegal drugs. All schools should have a drug policy which sets out the school's role in relation to all drug matters; both the content and organisation of drug education and the management of drugs within school boundaries. In addition to this, all schools should have agreed a range of responses and procedures for managing drug incidents, which are

understood by all members of school staff, and documented within the drug policy.

If an adult with parental responsibility presents at school and staff are concerned that their presentation suggests they are unable to offer safe care, steps must be taken to clarify the situation and assess the risk to the child. Please see below for some factors to consider:

- 1) Be mindful of staff safety and the safety of the children in the building
- 2) Talk to the parent and ascertain if they appear safe to be able to offer safe care for their child/ren. Consider the questions below:
 - *How is the adult presenting - are they staggering, speaking incoherently?*
 - *Does the parent/carer's needs compromise the ability of parents to meet the children's basic physical and psychological needs? If so, how?*
 - *How do they intend to get home /how did they arrive at school with the child? Is the parent driving? Are they fit to do so?*
 - *Is the parent/carer in sole care of the child? Can the adult identify another parent or supportive adult to be with them and the child?*
- 3) If concerned about ability to care for the child based on the factors above, then a safeguarding referral to Children's Services is required.
- 4) The school should aim to retain care of the child whilst awaiting the advice of Police and Children's Services. Schools do not have the authority legally to retain a child against a parent/carer's will; therefore if this is not possible, then the school should consider ringing for a Police welfare check on the non-emergency number, 101.
- 5) There may be occasions where an immediate, emergency call needs to be made to the police (i.e. 999), because it is judged that a child or another person (including staff) may be imminently at risk of serious danger. Examples include:
 - a. *where an intoxicated parent is behaving violently or is threatening violence such that the belief is that the threats may be carried out thus compromising the immediate safety or care of a child, or;*
 - b. *place others in danger by driving a car whilst unfit through alcohol or drugs.*

Section Five: Late Collection

Parents and carers share in the responsibility to work with staff to ensure their children are safe and in the care of a responsible adult. It must be made clear to parents that the school must be notified immediately it becomes apparent that the person collecting the child may be late. Each school should have their own internal procedures for late collection, which all staff (including those in charge of after school activities) should be familiar with to ensure the situation can be resolved as quickly as possible to cause as little distress as possible to the child.

Such procedures may include:

- Checking for any information about changes to the normal collection routines.
- Attempting to contact the parents/carers at home/work/mobile phone.
- Attempting to telephone emergency contacts
- Keeping a record of incidents where parents/carers are late for no explained or good reason, or where there are repeated incidents. See Appendix 3.
- Sending a letter home to the parent/carer notifying them of the possible arrangements that may be put into place for their child if they continue to collect their child late and inviting parents in for a discussion about their circumstances if applicable. An example is shown in Appendix 1a.

If a parent/carer wishes for their child to be collected by somebody who does not have parental responsibility (including siblings, if appropriate and in line with school policy), whether this is a regular or pre-planned arrangement, the parent/carer must put this in writing. In the event of alternative arrangements being made **in an emergency**, the child's parent/carer must give verbal consent for an agreed person to take the child home. This must be recorded and it is good practice to write to the parent/carer to confirm that this arrangement was made at their request and with their consent (see Appendix 1b). Many settings also insist on parents/carers giving the school a password in these circumstances, known by both the parent/carer and the collecting adult to check the identity of the person who is to collect the child.

Concerns about the child's safety and welfare associated with late collection should be dealt with in accordance with the school's child protection policy and procedures, the Hertfordshire Safeguarding Children Board Interagency Child Protection Procedures and local practice guidance, Meeting the Needs of children and Young People in Hertfordshire (details in Appendix 4).

Section Six: Non collection

Parents should be informed that in the event that their child is not collected from the setting by an authorised adult and no contact has been established with the parents/carers within forty five minutes to one hour of the usual collection time, the school will follow their child protection procedures, i.e. Police will be informed and a safeguarding referral to Children's Services will be made.

The DSP should keep detailed, timed records of the action taken and calls made and under no circumstances should staff go to look for the parent/carer or take the child home with them.

Good practice would also be for a letter to be sent to the parent/carer notifying them of the arrangements put into place for their child (an example is shown in Appendix 2) and to invite them in for a discussion about their individual circumstances. Once the situation has been resolved it is important to establish how and why the circumstance arose and to ascertain whether there is anything that the school could reasonably do to avoid a recurrence of this situation. It may be necessary to discuss with the parent steps that they could take to avoid recurrence e.g. ensuring that the school has current contact details etc. It will also be necessary to review the procedures used to ensure that they worked smoothly and if necessary to amend for future incidents.

Section Seven: Regularly transported children

Regularly transported children in this context refers to children who have a statutory entitlement of free home to school transport from the Local Authority. This includes:

- children who have been placed in a school that is not within the statutory walking distance (2 miles for pupils under 8, and 3 miles for those aged 8 plus)
- children who have been placed in a school where there is no safe walking route
- children from 'low income' families* if they are aged 8-11 and live more than 2 miles away from their nearest suitable school

- children with special educational needs or a disability (SEND) who have a statement which has transport requirements written into it.

*those who are entitled to free school meals or whose parents receive the maximum Working Tax Credit

The responsibility of parent/carer is to ensure that their child is ready for collection at the designated time as notified by the LEA or operator and that there is a suitable person to receive their child at the end of the school day.

The Passenger Transport Unit has guidance to follow in the event that there are concerns about safe care of a child that has been transported home, in line with the Hertfordshire Safeguarding Children Board Interagency Child Protection Procedures.