



Clifton High School

co-educational nursery pre-school to sixth form

Policy applies from EYFS to Sixth Form	Child Protection and Safeguarding - Confidentiality
Date policy updated	23.10.2020
Date Policy to be reviewed	23.09.2021 or earlier to reflect any changes in legislation
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Clifton High School is committed to child protection and safeguarding children and young people and expects all staff, visitors and volunteers to share this commitment.

Related Policies

Attendance

Child Protection and Safeguarding – Allegations

Child Protection and Safeguarding – Preventing Radicalisation

E-safety

At Clifton High School the aim is for all pupils to feel that they can talk to a member of staff about anything that is concerning them. In some cases, conversations between pupils and staff can remain confidential however; staff should recognise the boundaries of their legal and professional roles and responsibilities.

Members of staff cannot offer or guarantee absolute confidentiality in all circumstances. Incidences where confidentiality will need to be broken are where

- There is risk of serious harm or threat to life
- Urgent medical treatment is needed
- A crime has been committed
- The use or supply of illegal drugs is involved
- It is felt that an issue has a discriminatory motive
- A report of abuse is made

Disclosures about child abuse, whether physical, sexual, emotional or neglect, **must not kept confidential**. This also applies to specific child protection and safeguarding issues listed in Appendix 1. It is important that, as soon as a member of staff realises that such a disclosure may be made, they remind the pupil that it cannot be kept confidential. Disclosures about child abuse, whether physical, sexual, emotional or neglect, should result in the school's Child Protection and Safeguarding Policy being followed.

Pupils are entitled to talk in confidence to members of staff about day-to-day events and concerns. Sensitivity and discretion should be used in deciding what needs to be shared to help the pupil. It is also a good idea to ask the pupil's permission before talking with other staff, on the grounds that it may lead to a better understanding when dealing with the concern. Staff should not discuss personal information given by parents with other members of staff, except where it affects planning for the pupil's needs.

The School Counsellor, School Nurse and Health and Wellbeing Practitioners are bound by their codes of conduct to maintain confidentiality although they will inform the Head of School or the DSL if they are concerned for the safety of a pupil.

Any information from parents passed on by the Head of School or staff members during staff meetings, via the Staff Room notice board or via email concerning the health or personal circumstances of any pupil should be treated as confidential.

Information and concerns shared about a pupil should not be openly discussed where others can overhear. Unless action has been agreed to talk with the pupil about the matters raised, this should not take place. There is a level of sympathetic understanding that staff can apply to situations but staff should not appear to collude with the pupil against other colleagues.

Parents should not have access to any other pupil's books, marks and progress grades at any time especially at parents' evening. However, parents should be aware that information about their child or young person will be shared with the receiving school if they change school.

Parents and pupils need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection and safeguarding issues.

Clifton High School encourages pupils to talk to their parents about issues causing them concern and may in some cases support them to talk to their parents.

The school may share with parents a child protection or safeguarding disclosure before going on to inform the correct authorities – unless this would put the pupil at further risk. Any concerns or evidence relating to a pupil's personal safety are kept in a secure, confidential file and are shared with relevant staff on a professional basis only.

It is not breaching confidentiality to ask a more experienced colleague's advice when dealing with a problem, as long as staff understand that the information is confidential; seeking advice and support when unsure is good practice.

Clear ground rules relating to confidentiality are set by the teacher involved for any classroom work such as circle time and other PSHE sessions where pupils are dealing with sensitive issues.

Eating Disorders, Self-Harm, Depression, Psychiatric Concerns

A pupil may admit to an eating disorder, harming themselves, patterns of feelings and behaviours which suggest depression or psychiatric concerns. Do not collude with the pupil in allowing self-destructive behaviour to continue unheeded once it has been disclosed or admitted. Pupils should be encouraged to talk to their parents and to seek the appropriate help from health professionals. Members of staff, including the School Counsellors, School Nurse and Health and Wellbeing Practitioners, are expected to forward relevant information to the DSL or DSLs's.

If the pupil is below Sixth Form age and is unable to talk with their parents then in consultation with the pupil, the School will make contact on their behalf. The decision about the best person to contact parents will be made in discussion between the person to whom the disclosure has been made and the DSL or DSLs. This could be the DSL, DSLs's, relevant Head of Year, Deputy Head of School with responsibility for Child Protection and Safeguarding or the Head of School.

Sixth Form Pupils

Clifton High School has a duty of care to safeguard all pupils on roll including those who reach the age of 18 and become legally adults.

- Sixth Form pupils can be encouraged to take on responsibility for managing their health and wellbeing, but their parents will consider staff have a responsibility to them also – always encourage the pupil to talk to their parents
- There may be times concerns for the pupil's physical or mental well-being mean that the parents must be contacted. It is good practice to tell the pupil first to ensure that they understand why
- Remember that staff, are not responsible for solving a pupil's personal problems

Sexual matters

Any disclosures of a sexual nature made by a pupil should be treated as highly confidential and should not under any circumstances become the matter of general discussion amongst staff.

If a pupil under the age of 14 discloses that they are engaged in a sexual relationship, there are immediate concerns about the possibility of child abuse. Refer to Allegations of Harm arising from Underage Sexual Activity in the Child Protection and Safeguarding - Allegations Policy.

A pupil over the age of 14 who is considered intellectually competent is entitled to confidential contraceptive treatment from a health professional and to have confidentiality about disclosures of sexual activities respected by the school, as long as there are no concerns about potential child abuse. Since the age of consent is 16, the law is ambiguous on this issue but suggests that no action would be taken unless the partner is considerably older than the pupil, e.g. in their early to mid-twenties (usually if there is a five year age gap or more) or if any kind of coercion was suspected, in which case child protection concerns would be raised. If a member of staff is told that a pupil over the age of 14 but under the age of 16 is having or intends to have a sexual relationship, they should encourage the pupil to talk with their parents; check that child protection issues are addressed; and ensure that the pupil has the necessary information about contraception and where to access contraception services.

If a pupil over the age of 16 confides that they are engaged in a sexual relationship, the member of staff should ensure that the pupil has the necessary information about contraception and where to access contraception services.

The Head of School does not need to be informed about disclosures of sexual activity. It would be appropriate for any concerns about a pupil to be discussed in confidence with the Tutor or with the School Nurse.

- Always remember that if the pupil is below 14, disclosures of sexual activity may in fact be disclosures of sexual abuse. Refer to the Child Protection and Safeguarding Main and Allegations Policies
- Pupil's over the age of 14 are entitled to confidentiality about their sexual activities unless there is fear that there is an abusive element
- Information may be given but not advice on contraception, to a pupil, regardless of the age of the pupil, only if asked directly. Example: Where to obtain a condom is information but whether to use one or not is advice

Pregnancy

- If the pupil is under 14, it will be the Head of School's responsibility to talk directly to the parents
- If the pupil is 14-16, and is considered intellectually competent, the Head of School will urge them to talk to their parents, or offer to do so for them. If the pupil refuses this offer and refuses to tell the parents, the Head of School will alert the parents that there are real concerns, while protecting the pupil's confidentiality, and continue the efforts to persuade them to talk to their parents
- If the pupil is 17 or over, they are entitled to have the confidences respected but the Head of School will do all that is possible to encourage them to involve their parents in seeking appropriate medical support and advice

- Boys are also supported in the same way as above should they have concerns about their involvement in a possible pregnancy

While the School will always wish to remain supportive and compassionate, it is not the school's responsibility to seek the necessary medical advice or make decisions on behalf of the family in such a situation.

Role of the Governing Body

Governors observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, pupils or parents. Decisions reached at governors' meetings are recorded in the minutes with those of a confidential nature kept separately and secure. Governors exercise the highest degree of prudence when discussions of sensitive issues arise outside the governing body.

Appendix 1

Types of Abuse and other specific Safeguarding Issues

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.

Physical abuse is a form of abuse, which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Adult males do not solely perpetrate sexual abuse. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education. All staff should be aware that safeguarding issues could manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), sexual violence, sexual harassment and sexting. Staff should be clear as to the Clifton High School policy and procedures with regards to peer on peer abuse.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy because of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Specific safeguarding issues

Specific forms of abuse and safeguarding issues include

- Bullying including cyberbullying
- Child missing from home or care
- Drugs
- Fabricated or induced illness (FII)
- Faith abuse

- Forced marriage
- Gangs and youth violence
- Gender-based violence/violence against women and girls (VAWG)
- 'Honour' based violence (HBV)
- Mental health (see below)
- Missing children and adult's strategy
- Private fostering
- Preventing radicalisation (see below)
- Relationship abuse
- Sexting
- Trafficking

Annex A: Further information on page 16 of KSCIE (September 2019) provides additional information about specific forms of safeguarding issues. These are

- Children and the court system
- Children missing from education (see below and Annex A)
- Children with family members in prison
- Child sexual exploitation
- Child criminal exploitation: county lines
- Domestic abuse
- Female genital mutilation (FGM) (see below and Annex A)
- Homelessness
- So-called 'honour based' violence
- Preventing radicalisation (see below and Annex A)
- Peer on peer abuse
- Sexual violence and sexual harassment between children in schools

All members of staff are provided with a copy of this Annex and must sign to say that they have read and understood its contents.

Child sexual exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur with the use of technology.

Child missing from education (CME) refers to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school, for example, at home, privately or in alternative provision. This does not apply to children who are registered at a school who are not attending regularly. A referral must be made when a pupil is no longer at the school and has not started at a new school.

Contact

Email: childrenmissingeducation@bristol.gov.uk

Telephone: 0117 3521438

Referral form

<https://www.bristol.gov.uk/schools-learning-early-years/children-missing-education-cme>.

Pupils missing out on education (PME) refers to children on roll who are missing out on education as they are not attending regularly. Refer to the Attendance Policy.

Members of staff have a duty to follow the school's procedures to identify and respond to pupils on roll who go missing particularly on repeat occasions. Refer to the Lost Pupil Policy.

Types of Abuse and other specific Safeguarding Issues

Abuse and neglect is defined as the maltreatment of a child or young person whereby someone may abuse or neglect a child by inflicting harm, or by failing to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.

All school staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

For children with Special Educational Needs and Disabilities (SEND) additional barriers can exist when identifying abuse and neglect, these include

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Being more prone to peer group isolation than other children
- The potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

To address these additional challenges, Clifton High School considers extra pastoral support for pupils with SEND (KCSIE, 2020).

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Specific safeguarding issues

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- Faith abuse
- Forced marriage
- Gangs and youth violence
- Gender-based violence/violence against women and girls (VAWG)
- 'Honour' based violence (HBV)
- Mental health (see below)
- Missing children and adult's strategy
- Private fostering
- Preventing radicalisation (see below)
- Relationship abuse
- Sexting
- Trafficking

Annex A: Further information on page 82 of KSCIE (September 2020) provides additional information about specific forms of safeguarding issues. These are

- Children and the court system
- Children missing from education (see below and Annex A)
- Children with family members in prison
- Child criminal exploitation (CCE)
- Child sexual exploitation (CSE)
- County Lines
- Domestic abuse
- Homelessness
- So-called 'honour based' abuse (including FGM and Forced marriage)
- Female genital mutilation (FGM) (see below and Annex A)
- Forced marriage
- Preventing radicalisation (see below and Annex A)
- The Prevent Duty
- Channel
- Peer on peer/ child on child abuse
- Sexual violence and sexual harassment between children in schools
- Upskirting
- The response to a report of sexual violence or sexual harassment

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Members of staff have a duty to follow the school's procedures to identify and respond to pupils on roll who go missing particularly on repeat occasions. Refer to the Lost Pupil Policy.

Child Exploitation – both Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Clifton High School will ensure that early help intervention is provided as soon as a concern of exploitation is identified. Discussion and advice will be sought from targeted services to consider what support may be available. The pupil and their families will be part of any planning and interventions.

- If the pupil is at risk of CSE or there is intelligence, which indicates that the pupil or peer group are at risk of CSE, Clifton High School will share information with Operation Topaz (the police). This information will support proactive activity to disrupt criminal activity in relation to sexual exploitation.
- If the pupil is at risk of CCE information should be shared with Bristol's Violence Reduction Unit - Safer Options. The Safer Options Education Inclusion Managers can advise and support Clifton High School to manage risk. Targeted support maybe available to disrupt pupils from getting involved with criminality.
- Avon and Somerset Police share 'Missing persons' notifications (which a pupil is reported missing from home) with Clifton High School with a view to support them to take proactive action and reasonable adjustments in relation to behaviour management and achieving positive educational outcomes. These should be stored securely on the pupil's Safeguarding file.

Domestic Abuse

Operation Encompass is a national operation where local police forces notify when the police are called to an incident to domestic abuse. Avon and Somerset have their own version of this and will notify education Clifton High Schools whenever they have responded to a domestic abuse incident. This will enable Clifton High School to take proactive action and reasonable adjustments in relation to behaviour management and achieving positive educational outcomes.

Under the current information sharing protocol, Clifton High School is not permitted in sharing this information without seeking consent from Avon and Somerset police in case this can put a victim and pupils at further risk of harm. The only exception to this when information is shared with Clifton High School as part of statutory duties in relation to transfer of a Safeguarding file. Additional instructions around this are sent out with every single notification.

- Clifton High School must have signed up to a Police Safeguarding Notification Briefing to receive these
- Clifton High School should have at least 2 members of trained staff able to receive and act upon these notifications
- Clifton High School should promote an open culture of safeguarding to enable pupils and families to disclose and feel safe to talk about their experiences and what support maybe required

Female Genital Mutilation

Mandatory reporting duty

This is a legal duty for all professionals undertaking teaching work to report known cases of FGM to the police via 101 when they

- Are informed by a girl under 18 that an act of FGM has been carried out on her
- Observe physical signs which appear to show that an act of FGM has been carried out on a pupil

These cases must be referred to the DSL who will support them to carry out their duty. It is also advised any referrals made to the police under the mandatory reporting duty are followed up with children's social care so an assessment of need and support is concurrently considered.

Travel

National guidance has highlighted going on holiday to a risk affected country is cause for concern, local guidance has been developed to prevent discriminatory action against families from risk affected communities.

- Families are encouraged to notify Clifton High School when they are looking to travel during term time dates.
- This will prompt a conversation with the DSL or DSLS to discuss and explain what FGM is in that; it is significantly harmful and illegal to practice this
- Clifton High School will complete an FGM Referral Risk assessment (available on the Keeping Bristol Safe Partnership website) with the family to identify any support that the family may require in relation to FGM
- Proportionate action is taken. Referrals to social care should NOT be automatically made – however should be made if there are high risk concerns identified from the FGM Referral Risk Assessment.
- These assessments should be saved onto the pupil's Safeguarding file to avoid duplication with new incidents of travel

Online Safety – Annex C of Keeping Children Safe in Education highlights additional actions schools should take to keep pupils safe online.

- For concerns around individual cases where a child has been harmed through online mediums, advice and guidance can be made through the **Professional Online Safeguarding Helpline**, T: 0344 381 4772, E: helpline@saferinternet.org.uk
- Where there have been established cases of online abuse or grooming, Clifton High School will alert - **Child Exploitation and Online Protection command (CEOPS)**
<https://www.ceop.police.uk/ceop-reporting/>

Refer to E safety Policy

Serious Youth Violence

To be read in conjunction with the above section around Child Criminal Exploitation. There has been local guidance issued on the issue of '[Offensive Weapons in Education Settings](#)'.

It is important to note that should a weapon be used or there is threat of use, the police should be called immediately.

- The same day a weapon is found Safer Options should be called for a multi-disciplinary assessment of risk
- Whilst it is acknowledged that the decision to exclude remains with the Head, it is recommended that consultation with the Safer Options Education Inclusion Manger is made so as not to put the pupil at further risk of harm if they are excluded
- Alternatives to exclusions should be considered first in recognition that by doing so a pupil may be at further risk of harm out in the community
- Police will be notified through the multi-agency discussion held at the 'Out of Court Disposals Panel' to prevent pupils unnecessarily getting a criminal record

Preventing Radicalisation - The Prevent duty

All members of staff at Clifton High School understand their statutory duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. Protecting pupils from extremist and violent views and radicalisation is seen as part of its wider safeguarding duties. The purpose should be to ensure that pupils are taught in a way that is consistent with the law and British Values. The [Prevent duty guidance: for England and Wales](#), especially paragraphs 57-76, which relates to schools is set out in terms of four general themes

- risk assessment
- working in partnership
- staff training
- IT policies

Refer to Child Protection and Safeguarding - Preventing Radicalisation Policy.

Private Fostering

A private fostering arrangement is one that is made privately, without the involvement of a local authority, for the care of a pupil

- Under the age of 16 years (under 18, if disabled)
- By someone other than a parent or close relative. Close family relative is defined as a ‘grandparent, brother, sister, uncle or aunt’ and includes half-siblings and step-parents; it does not include great-aunts or uncles, great grandparents or cousins
- With the intention that it should last for 28 days or more

Cases of private fostering arrangements must be reported to children’s social care to ensure that needs are adequately made. Statutory guidance states that this is done at least 6 weeks before the arrangement is due to start or as soon as you are made aware of the arrangements. Not to do so is a criminal offence. Further support and reasonable adjustments are made by Clifton High School to promote achievement of positive educational outcomes.

Young Carers

A young carer is a person under 18 who regularly provides emotional and/or practical support and assistance for a family member who is disabled, physically or mentally unwell or who misuses substances. Clifton High School will support pupils who are young carers to appropriate support.

<https://www.bristol.gov.uk/social-care-health/support-for-young-carers>

The Carers Support Centre can undertake an assessment of need and provide bespoke support.

<https://www.carerssupportcentre.org.uk/young-carers/making-a-referral/>