



Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru
Her Majesty's Inspectorate for Education and Training in Wales

Estyn Policy and Procedures

for

safeguarding

2016

The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:

- ▲ nursery schools and settings that are maintained by, or receive funding from, local authorities
- ▲ primary schools
- ▲ secondary schools
- ▲ all-age schools
- ▲ special schools
- ▲ pupil referral units
- ▲ independent schools
- ▲ further education
- ▲ adult community learning
- ▲ local authority education services for children and young people
- ▲ teacher education and training
- ▲ Welsh for adults
- ▲ work-based learning
- ▲ learning in the justice sector

Estyn also:

- ▲ provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others
- ▲ makes public good practice based on inspection evidence

Every possible care has been taken to ensure that the information in this document is accurate at the time of going to press. Any enquiries or comments regarding this document/publication should be addressed to:

Publication Section

Estyn

Anchor Court

Keen Road

Cardiff

CF24 5JW or by email to publications@estyn.gov.wales

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Information sheet

Information box

For further advice contact: Estyn's Safeguarding Officer on 02920 446482 or safeguarding@estyn.gov.wales

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Version control

Document version	Author	Date of issue	Changes made
1.0	Gerard E Kerslake	15 March 2013	Update to the previously agreed safeguarding policy to reflect internal management changes in Estyn, and changes arising from the Freedoms Act 2012
1.1	Gerard E Kerslake	January 2015	Minor updates, clarifying the role of the safeguarding officer in providing advice to Estyn staff
1.2	Gerard E Kerslake	August 2016	Minor updates, update of contact information

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Equality Impact Assessment

In accordance with Estyn's Equality Impact Assessment Guidance 2012, an initial screening impact assessment has been carried out and this policy is not deemed to adversely impact on the grounds of disability, gender or race.

Contents	Page
<u>Introduction</u>	1
<u>What are our principles?</u>	2
<u>What is our policy?</u>	3
<u>What do I need to do?</u>	3
<u>Guidance on the procedure to follow in the event of alleged or suspected abuse or neglect, or the identification of unsafe working practices</u>	4
When in the office or working from home	4
When carrying out an inspection	4
When working with other inspectorates	5
When a disclosure is made to the inspection team	5
<u>Appendix 1: Safeguarding actions flow chart for inspectors</u>	7
<u>Appendix 2: How does Estyn discharge its responsibilities for safeguarding?</u>	8
Responsible officers	8
Safeguarding Lead Officer role	8
<u>Appendix 3: Definitions</u>	10
What is safeguarding?	10
What is a Child?	10
What is a vulnerable adult?	10
What are safeguarding risks to Children?	11
<u>Appendix 4: Further reading</u>	12
<u>Appendix 5: Initial Contact Form</u>	13
<u>Appendix 6: Contact details for all referrals</u>	15
Contact details for Estyn's designated safeguarding officers	15
Social services duty officer telephone contacts for safeguarding referrals for children or vulnerable adults	15
CSSIW contact details	16

Introduction

This policy and the associated procedures and guidance provide consistent advice on dealing with potential safeguarding issues.

This policy and the associated procedures and guidance apply to:

- all staff (including secondees) and inspectors directly employed by Estyn
- Additional Inspectors
- Peer Inspectors
- Registered Inspectors, Team Inspectors and Lay Inspectors

Reporting Inspectors or Registered Inspectors should ensure that providers of education and training are made aware of this document prior to each inspection.

For ease, throughout this document, where reference is made to 'Inspectors', this refers to all of the Estyn Inspectors, which are listed above.

What are our principles?

Estyn is committed to upholding the safety and welfare of young people and vulnerable adults, therefore we are vigilant in all of our work. All Inspectors have a duty to report any disclosures or concerns they may have. This Policy sets out the procedures to be followed by Estyn staff in reporting any such concerns.

Key principles

The key principles that underpin this Safeguarding Policy and the guidance for safeguarding children and vulnerable adults are contained in the Human Rights Act 1998 and the Children Act 2004. They are explained in the documents 'Safeguarding Children: Working Together under the Children Act 2004', the 'UN Convention on the rights of the child', to which the United Kingdom is a signatory, and 'In Safe Hands: implementing Adult Protection Procedures in Wales'.

See Appendix 3 for definitions of 'children' and 'vulnerable adults'.

Children

All children deserve the opportunity to achieve their full potential. They should be able to:

- Be as physically and mentally healthy as possible
- Gain the maximum benefit possible from good-quality education opportunities
- Live in a safe environment and be protected from harm
- Experience emotional wellbeing
- Feel loved and valued, and supported by a network of reliable and affectionate relationships
- Become competent in looking after themselves and coping with everyday living
- Have a positive image of themselves and a secure sense of identity, including cultural and racial identity
- Develop good interpersonal skills and confidence in social situations

All staff working with children should:

- Treat children's welfare with utmost importance
- Be alert to potential indicators of abuse and neglect
- Be alert to the risks which individual abusers, or potential abusers, may pose to children
- Be aware of the effects of abuse and neglect on children
- Contribute as necessary to all stages of the safeguarding process

Vulnerable Adults

All adults who may be vulnerable to abuse also have the right to be protected from abuse and supported in seeking treatment and redress in the event that they have been abused.

What is our policy?

In all aspects of Estyn's work, the needs interests and wellbeing of children, young people and vulnerable adults must be put above the needs and interests of all others. Hence, this Policy and the guidance contained within it must have priority over all other policies and advice. Through this guidance and through appropriate training we will raise the awareness of our staff to potential abuse, neglect and unsafe professional practice both within settings we inspect and within other settings we visit.

To implement this Policy we will:

- Ensure that all staff, including all Inspectors are appointed following appropriate and stringent safe recruitment procedures
- Ensure that, through training and development, all staff are aware of the need for safeguarding children, young people and vulnerable adults and are familiar with the procedures to follow when they have concerns
- Follow locally agreed safeguarding procedures and establish links with Area Safeguarding Children Boards (ASCB), Local Safeguarding Children Boards (LSCB) and Area Adult Protection Committees (AAPC)
- Ensure that staff take positive actions to respond to allegations, suspicions or incidents of abuse
- Evaluate how well providers of education and training settings carry out their responsibilities in a manner which safeguards children and young people
- Evaluate how well education and training providers have appropriate safeguarding procedures for children in place and that these are both linked or built into locally agreed multi agency procedures
- Work actively with other agencies to respond to national and local initiatives and to develop strategies that are designed to prevent and/or reduce the risk of abuse from occurring

What do I need to do?

See the flow chart identified below at Appendix 1.

All staff have a duty to report any disclosures or concerns they may have about the safety and welfare of children and vulnerable adults. In order to manage this responsibility, Estyn has a designated Lead Officer and Deputy with responsibility for safeguarding, as well as allocated clerical and administrative support. Safeguarding issues should always be referred to the Lead Officer or Deputy. If neither is available, contact either the Designated Administrative Officer or if it is a matter concerning an employee of Estyn, contact a Senior Manager. For convenience, this policy refers to the Safeguarding Officer throughout in place of the Lead Officer, Deputy or if not available the Designated Administrative Officer.

Guidance on the procedure to follow in the event of alleged or suspected abuse or neglect, or the identification of unsafe working practices

All of Estyn's staff including temporary administrative and clerical staff, and all Inspectors have a duty to report any concerns. All staff should always refer any concerns to Estyn's Safeguarding Officer. Following a disclosure, staff should always record all relevant details on Estyn's safeguarding initial contact form. Before sharing any information with a provider's own safeguarding officer, Inspectors should check with the safeguarding officer what information if any, should be shared, and with whom. In cases of alleged professional misconduct for example, Estyn's safeguarding officer should normally seek advice about this from the local authority social services or the police, to inform this decision. It is not the role of Estyn's staff or Inspectors to investigate or seek out evidence on matters relating to safeguarding concerns and they must not attempt to do so.

When in the office or working from home

If a member of Estyn's staff (including an Inspector) receives any communication (a letter, email or telephone call) that might have implications for safeguarding, it should be referred to Estyn's Safeguarding Officer and details recorded on the Initial Contact Form.

If taking a telephone call normal procedures for taking the name and contact details of the caller should be followed. The person taking the call should assure the caller that the call will be followed up. At the end of the call, immediately contact Estyn's Safeguarding Officer.

Details of the letter, email or call and any subsequent actions should be recorded at every stage on the Estyn Initial Contact Form, copies of which are available at Appendix 1, on the Sharepoint home page, and Estyn's website.

There are no legal or ethical restrictions on sharing information within Estyn or with other agencies, if it is for safeguarding purposes. In general, the law will not prevent you from sharing information with other practitioners if:

- Those likely to be affected consent
- The public interest in safeguarding the individual overrides the need to keep the information confidential
- Disclosure is required under a court order or other legal obligation

When carrying out an inspection

In all cases where an Estyn Inspector has any suspicion or receives an allegation about abuse, inappropriate actions or behaviour from a professional, or inappropriate care or neglect of a child or vulnerable adult, they must act on this immediately. When carrying out an inspection, in all cases the Inspector dealing with the issue should inform the Reporting Inspector (except where the allegation is about the Reporting Inspector).

In all cases the Reporting Inspector is responsible for:

- Ensuring a record is made of the safeguarding issue, using Estyn's Initial Contact Form (the template is in Appendix 1, and on the Sharepoint home page, and Estyn's website)
- Informing Estyn's Safeguarding Officer of the issue
- Following any advice from Estyn's safeguarding officer, regarding where appropriate informing the provider's own safeguarding officer that a referral will be made
- Forwarding the completed Initial Contact Form to the Safeguarding Officer for Estyn's safeguarding log

Where the Reporting Inspector is the subject of the allegation, the Inspector who raises the issue is responsible for carrying out the above process, which includes informing Estyn's Safeguarding Officer immediately. Details of the relevant phone numbers and email address are in Appendix 2. The Safeguarding Officer must make the necessary referral and inform Estyn's Senior Managers immediately.

Where Estyn's Designated Lead Safeguarding Officer is the subject of the above procedures, the Deputy-Safeguarding Officer should be notified instead.

When working with other inspectorates

Where Estyn is the lead inspectorate for a multi-disciplinary inspection team, Estyn's Safeguarding Policy will be followed. The Reporting Inspector will provide all other team members with a copy of Estyn's Safeguarding Policy and procedures as part of their initial briefing before they join the team. Those inspectors from other inspectorates are expected to work within these procedures.

Where one of Estyn's Inspectors is working as part of a multi-agency team and Estyn is not the lead inspectorate, Estyn's Inspector will follow the safeguarding procedures of that lead inspectorate, unless to do so would cause a delay in referral to social services or the police and place a child at risk of further harm. The Inspector will also inform Estyn's Safeguarding Officer and record details on the Estyn Initial Contact Form. Estyn's Safeguarding Officer will write to the lead inspectorate to ensure that the referral has been followed up and to ascertain any further action Estyn may need to take.

When a disclosure is made to the inspection team

If the disclosure is made by a child, or vulnerable adult, the details must be recorded immediately and forwarded to Estyn's Safeguarding Officer. In responding to the person making the disclosure:

- Do not promise confidentiality but explain that you are obliged to pass this information on
- Listen carefully and sympathetically
- Seek help from medical staff, social services or the police if there is immediate risk
- Clarify what has happened but try to ask as few questions as possible

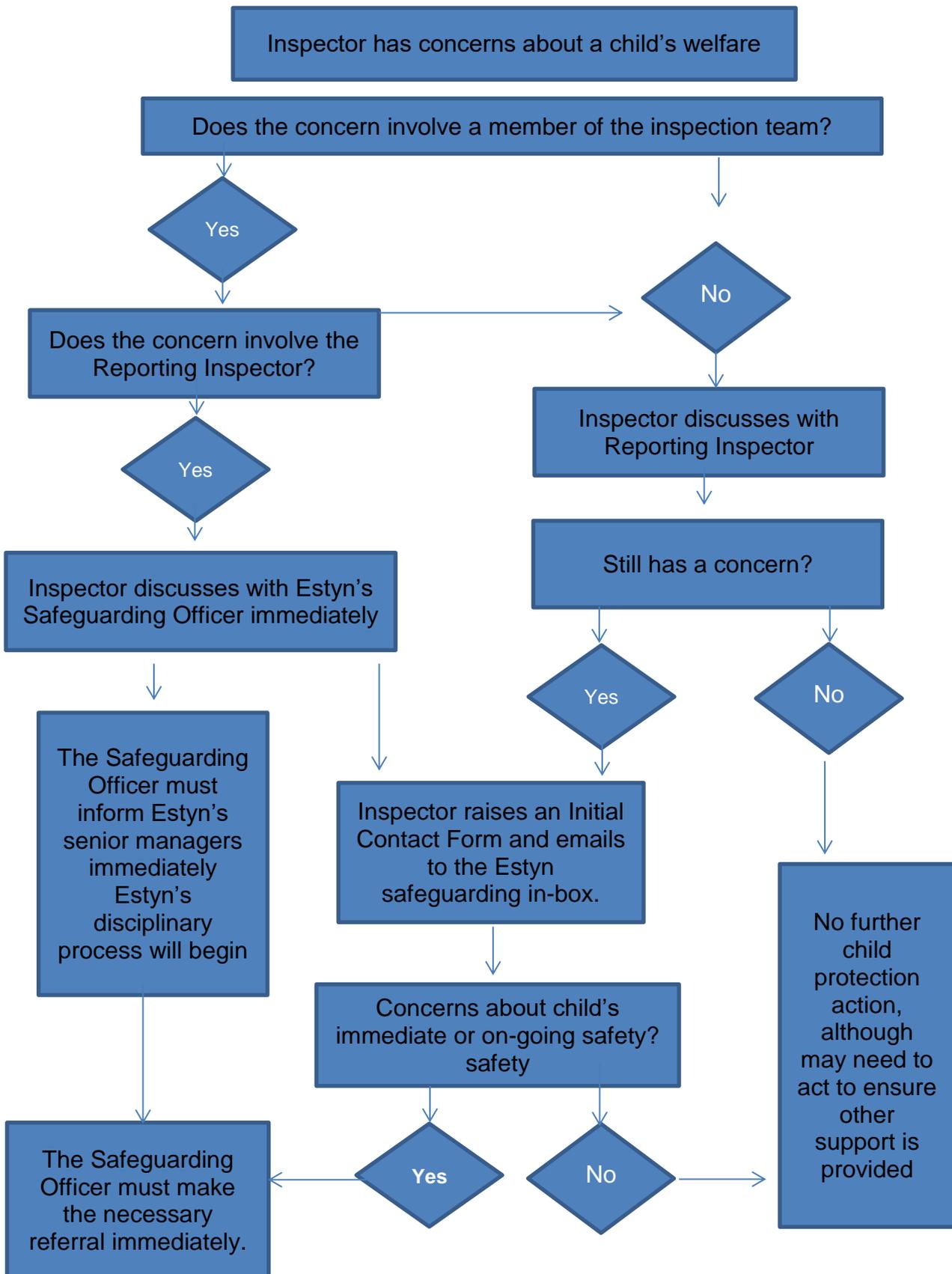
When informing the provider about a disclosure:

- Seek advice from Estyn's Safeguarding Officer first
- Following the advice of Estyn's Safeguarding Officer, where appropriate tell the provider that a disclosure has been made to the team and that it is being referred
- Share only the basic details of the disclosure
- Tell the provider the general nature of the issue, for example that it refers to bullying
- Do not become involved in investigating the matter

To make a referral to the appropriate authority, Estyn's Safeguarding Officer will:

- Check that details of the disclosure are recorded appropriately on Estyn's Initial Contact Form
- Refer the matter on to the relevant LSCB, police or social services department
- Upload the Initial Contact Form on Estyn's safeguarding log
- Monitor follow-up action taken as a consequence of the referral

Appendix 1: Safeguarding actions flow chart for inspectors



Appendix 2: How does Estyn discharge its responsibilities for safeguarding?

Responsible officers

In order to ensure that Estyn discharges its responsibilities appropriately, it has:

- A designated Director, with responsibility for the strategic oversight of all aspects of safeguarding within Estyn
- A designated Assistant Director with line management responsibilities, and management reporting responsibilities for safeguarding
- A Lead Officer with the operational management responsibilities for safeguarding, including dealing with disclosures and referrals, the provision of advice and guidance to HMI in dealing with disclosures and referrals, and the oversight of advice and guidance for inspecting safeguarding
- A Deputy Lead Officer to support the Lead Officer in discharging their duties
- A designated Lead HR officer for the oversight of all recruitment and HR functions relevant to Estyn's safeguarding responsibilities as an employer, including those in respect of appointing secondees into Estyn, approving contractors and Additional Inspectors, and Peer Inspectors
- Designated administrative support for Estyn's safeguarding officers, who are also able pass referrals onto the appropriate officer on behalf of other Estyn employees
- A safeguarding working group within Estyn to provide guidance and oversight

Safeguarding Lead Officer role

The Safeguarding Lead Officer will:

Leadership

- Provide leadership and advice across Estyn in relation to all aspects of safeguarding
- Act as the first point of contact within Estyn on safeguarding disclosures and referrals for members of Estyn's staff and for external bodies
- Provide senior management with advice and regular updates on safeguarding matters (including queries around inspecting safeguarding) and their implications for on-going training of inspectors and other staff
- Report intelligence on the issues raised by external contacts, as many of the issues raised by parents are about the treatment they and their children receive by head teachers, governors and other school staff
- Work with the relevant Assistant Director and Deputy Safeguarding Officer to ensure the above responsibilities are met in full

Referrals

- Ensure that staff take positive actions to respond to allegations, suspicions or incidents of abuse
- Make all necessary referrals, record referrals using Estyn's Initial Contact Form

and safeguarding log, and monitor follow-up activity to ensure all appropriate action is taken

- Monitor the nature and the outcome of referrals to recognise patterns; and
- Inform the contractor or the person's employer where a safeguarding allegation is made against a Peer Inspector, an Additional Inspector or an Independent Inspector

Policies

- Ensure that Estyn's policies, procedures and guidance on managing safeguarding and inspecting safeguarding are reviewed at least annually and kept up to date
- Inform staff and Inspectors of Estyn's policy and procedures and make them aware of their roles and responsibilities in recognising and acting upon indicators that a child's or vulnerable adult's welfare or safety may be at risk

Training

- Ensure that all staff are aware of the need for safeguarding children and vulnerable adults and are familiar with the procedures to follow when they have concerns
- Liaise with Human Resources to co-ordinate training for Estyn staff and work with other agencies to provide effective training on safeguarding
- Provide guidance on inspecting safeguarding
- Advise and support sector Lead Officers in drafting supplementary guidance on inspecting safeguarding
- Advise and support sector Lead Officers in responding to queries about inspection methodology with regard to safeguarding

Joint working

- Work with other agencies to respond to national and local initiatives and to develop strategies that are designed to prevent or reduce the risk of abuse
- Liaise with DfES officials and others, in particular over responding to queries through the preparation of a draft response, which should be approved, by an Assistant Director or Strategic Director before it is sent
- Respond to requests for further information from the Independent Safeguarding Authority under the terms of Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012
- Monitor involvement of Estyn staff and Inspectors in safeguarding investigations

Reporting

- Advise Her Majesty's Chief Inspector of any action required to safeguard children and vulnerable adults including any advice that needs to be given to other statutory bodies, for example the Welsh Government
- Keep Her Majesty's Chief Inspector informed of any on-going safeguarding matters such as cases referred to social services, the LSCB or AAPC
- Maintain an on-going summary and end-of-year evaluation of relevant issues, including the implementation of Estyn's safeguarding procedures, an analysis of enquiries, queries and referrals made to Estyn.

Appendix 3: Definitions

What is safeguarding?

Safeguarding children

Whilst there is no statutory definition of safeguarding, 'Safeguarding children: working together under the Children Act 2004' sets out that safeguarding and promoting the welfare of children is concerned with:

- Protecting children from abuse and neglect
- Preventing impairment of their health or development
- Ensuring that they receive safe and effective care

...so as to enable them to have optimum life chances.

Safeguarding vulnerable adults

In respect of safeguarding vulnerable adults, again, there is no statutory definition. Whilst 'In Safe Hands: implementing Adult Protection Procedures in Wales' contains no definition of safeguarding of vulnerable adults, it does separately define the concepts of a 'vulnerable adult' and 'significant harm' (see below for these definitions).

Essentially, all vulnerable adults have the right to be protected from abuse and neglect, the right to receive proper care and be supported in seeking help in the event that they have been abused.

What is a Child?

The Welsh Assembly Government (2007) document 'Safeguarding children: working together under the Children Act 2004' explains that a child is anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people' throughout that document. The fact that a child has become sixteen years of age is living independently or is in Further Education, or is a member of the armed forces, or is in hospital, or in prison or a young offenders institution does not change their status or their entitlement to services or protection under the Children Act 1989.

Under Section 175 of the Education Act 2002, local authorities (LAs) and governing bodies in the maintained sector are required to ensure that they safeguard and promote the welfare of children and young people. This requirement also extends to the governing bodies of institutions, for example within the further education sector.

What is a vulnerable adult?

The definition of a 'Vulnerable Adult' is set out in [section 126 of the Social Services and Wellbeing \(Wales\) Act 2014](#).

- (1) An "adult at risk", for the purposes of this Part, is an adult who—

- (a) is experiencing or is at risk of abuse or neglect
- (b) has needs for care and support (whether or not the authority is meeting any of those needs)
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

What are safeguarding risks to Children

The following definitions are taken from chapter six of 'Safeguarding Children: working together under the Children Act 2004' (WAG 2007):

Neglect

The persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold, starvation or extreme failure to carry out important aspects of care, resulting in the significant impairment of the child's health or development, including non-organic failure to thrive.

Physical abuse

The 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 or induces illness in a child whom they are looking after.

Emotional abuse

The persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional and behavioural development.

Sexual abuse

Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening, including:

- Physical contact, including penetrative or non-penetrative acts
- Non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities
- Encouraging children to behave in sexually inappropriate ways
- Organised trafficking of children for sexual exploitation

Significant Harm

Section 31 (10) of the Children Act 1989 states that 'where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child'.

Appendix 4: Further reading

- Estyn code of conduct for inspectors as set out in the Common Inspection Framework and expanded in each of the inspection handbooks
- [Estyn's policy on the safe recruitment for those who work for Estyn](#)
- Safeguarding Children: Working Together under the Children Act 2004
- [Safeguarding Vulnerable Groups Act 2006: Controlled Activities Wales](#) as amended by Part 5 of the Protection of Freedoms Act 2012.
- [Social Services and Wellbeing \(Wales\) Act 2014](#)
- [Welsh Office Circular 52/95: Protecting children from abuse – the role of the education service](#) (English only)
- [Keeping Learners Safe 2015](#). Welsh Government statutory guidance for education providers which includes relevant guidance, direction to other publications and regulations
- [National Assembly for Wales Circular 34/02 Child Protection: preventing unsuitable people from working with children and young people in the education service](#).
- [Safeguarding children in whom illness is fabricated or induced \(2008\)](#)
- [National Assembly for Wales Circular 02/03 Criminal Records Bureau: basic facts for school volunteers](#)
- [Details of the Freedoms Act](#) (English only)
- [Definitions for supervision](#) (English only)

Appendix 5: Initial Contact Form

ESTYN SAFEGUARDING INITIAL CONTACT FORM CONFIDENTIAL	
The following information is CONFIDENTIAL . However, where relevant, information may be shared with other agencies such as the police and social services. Some aspects may also be shared with local authority education services	
Date of referral:	
Informant's details	
Name of the informant/caller: :	
Telephone number of informant/caller : :	
Address of informant/caller: :	
Child's, young person's or vulnerable adult's details	
Full name of child, young person or vulnerable adult : :	
Date of birth if known:	
Address if known: :	
Place where the alleged issues took place	
Name and address of the education provider concerned :	
Where the alleged incident/s took place: :	
When the alleged incident/s occurred::	
If the disclosure has been made while on inspection has the providers' safeguarding officer been informed?:	
If yes please give their name and contact details	

Broad nature of the concern

e.g. bullying; abuse by professional; poor handling of safeguarding issues

The information below may be shared with the police and/or social services, and therefore cannot be confidential. However, is there any of the information below the informant may prefer to be shared only with Estyn, the Police and local authority social services? :

--	--

Name of person completing this form:	
---	--

Date referred and to whom:	
-----------------------------------	--

Date uploaded to safeguarding log:	
---	--

Appendix 6: Contact details for all referrals

Contact details for Estyn's designated safeguarding officers:

Safeguarding officers

Lead safeguarding officer 02920 446482 (24 hrs)

Deputy safeguarding officer 02920 446484 (24 hrs)

Estyn Office: 02920 446446 (office hours only)
Anchor Court, Keen Road Cardiff

Email: safeguarding@estyn.gov.uk

Social services duty officer telephone contacts for safeguarding referrals for children or vulnerable adults (all details updated September 2014)

County	Child referrals	Adult referrals	Out of hours if different	Designated Lead Officer – Safeguarding in Education
Blaenau Gwent	01495 315700	01495 315700	0800 328 4432	Sarah Dixon 01495 356 016
Bridgend	01656 642320	01656 642353	01443 734 665	Laura Kinsey 01656 642 314
Caerphilly	0808 1001727	0808 1002500	0800 328 4432	Jackie Garland 01443 866651 Helen West 01443 866643
Cardiff	02920 536490	02920 243 234 (also adult out-of-hours)	02920 788570 (children)	Andrea Mazloom 029 22 330879 Carol.Jones2@cardiff.gov.uk
Carmarthenshire	01554 742 322	01558 825 371 + 01267 228944	01558 824 283	Rebecca Copp 01267 246 595
Ceredigion	01545 574000	01545 574000	0845 6015392	Sarah Llewelyn 01970 633 624
Conwy	01492 575111	01492 576333	01492 515 777	Sian Pineau 01492 575 036
Denbighshire	01824 712200	03004 561000	0845 053 3116	Wayne Wheatley 01824 708 169
Flintshire	01352 701000	01352 803444	0345 0533116	Dave Messum 01352704122, 07796996901

County	Child referrals	Adult referrals	Out of hours if different	Designated Lead Officer – Safeguarding in Education
Gwynedd	01758 704455	01286 682888	01286 675 502	Ffion Eleri Rhisiart 01286 679 007
Isle of Anglesey; Ynys Môn	01248 752733	01248 752752	01286 675 502	Jane Marr 01248 752 936 01407 767 782
Merthyr Tydfil	01685 725 000	01685 725 000	01443 743665	Sarah Bowen 01685 725 082
Monmouthshire	01291 635669	Caldicot/Chepstow 01291 635666 Monmoth/Usk/Raigan 01600 773041 Abergavenny 01873 735885	0800 328 4432	Heather Heaney 01633 644 392 07917 707343
Neath Port Talbot	01639 686803	01639 686802	01639 895 455	Christopher Millis 01639 763 226 Amanda Hinton 01639 763 363
Newport	01633 851423	01633 656656	0800 328 4432	Nicola Davies 01633 235664
Pembrokeshire	01437 764551 Martin Reynolds 01437 776 688	01437 764551 Karen Panter 01437 776 330	08708 509 508	Cheryl Loughlin 01437 776 549
Powys	01597 827 666	01597 827 666	0845 757 3818	Keith Brelstaff – 01597 82 6448 Sue Morgan 01597 827 099
Rhondda Cynon Taff	01443 742 928 Debbi Davies 01443 742 927	01443 742 940	01443 743 665	Sue Walker 01443 744 005
Swansea	01792 635700	01792 636519	01792 775501	Paul Henwood 01792 637 148

Torfaen	01633 647249	01633 647248	0800 328 4432	Darren Joseph 01495 766 932
Vale of Glamorgan	01446 725202	01446 700111	02920 788570	Dorian Davies 01446 709 867
Wrexham	01978 292039	01978 292066	0345 0533116	John Grant 01978 295 418 01978 268 165

Other helpful numbers

Childline UK **0800 1111**
NSPCC Help and advice **0808 800 5000**

CSSIW contact details

National Office contact details **0300 7900 126**
Follow the key pad hints for regional offices.
The link below provides contact details for CSSIW regional offices:

<https://cssiw.gov.wales/contactus/?lang=en>