



Child Protection Safeguarding Policy

Scope

This policy applies to the whole school including EYFS. It has been compiled with regard to and is in accordance with several extensive documents on Child Protection, which have been issued by the Secretary of State and Central Government and has regard to:

- *Keeping Children Safe in Education (KCSIE)* (2018) which incorporates
 - *Disqualification under the Childcare Act 2006* (February 2015)
 - *What to do if you're worried a child is being abused* (March 2015).
- *Working Together to Safeguard Children (WT)* (March 2015/Revised 2017)) and *Information Sharing* (March 2015)
- *Prevent Duty Guidance for England and Wales* (March 2015/Revised July 2017). Prevent is supplemented by non-statutory advice and a briefing note:
 - *The Prevent Duty: Departmental advice for schools and childminders* (June 2015)
 - *The use of social media for on-line radicalisation* (July 2015)
- *Mental Health and Behaviour in Schools: Departmental Advice* (DfE 2014)
- *What to do if you are worried a child is being abused – Advice for Practitioners* (March 2015)
- *The Children and Social Work Act* (2017)

It also embraces the procedures of Birmingham Safeguarding Children Board (BCSB), operating in accordance with the agreed inter-agency policy of Birmingham City Council. In particular, it has regard to BCSB publication *Right Service, Right Time – Delivering effective support for children and families in Birmingham* (March 2015/Revised to Right Help, Right Time 2017).

The policy applies to all staff and volunteers working in the school, including those working in the EYFS, as well as governors and peripatetic teachers. It is made available to parents via the school website, with hard copies also available from the school office on request.

Key Contacts

The contact details for referrals for all pupils are detailed below. The normal referral procedures detailed in this policy apply to all referrals including those initiated as a result of a concern about children who may be at risk of being influenced by associations with the promotion of radicalisation;

Birmingham Safeguarding Children Board

Council House Extension

Margaret Street

B3 3BU

0121 303 8136

www.lscbbirmingham.org.uk

Children’s Social Care Emergency Duty Team

0121 675 4806

(In an emergency, outside normal office hours)

Local Authority Designated Officers (LADOs)

Norah Malik, Salma Shabir and Micho Moyo

0121 675 1669

ladoteam@birmingham.gov.uk

lado.secure@birmingham.gcsx.gov.uk

Multi-Agency Safeguarding HUB (MASH)

0121 303 1888

MASH@birmingham.gov.uk

Early Years and Childcare Team

0121 464 5897

Birmingham CAF Coordinator

Jon Needham

0121 675 2449

jon.needham@birmingham.gov.uk

Disclosure and Barring Service

DBS Customer Services

P O Box 110

Liverpool

B19 2RL

0870 9090811

Local Authority *Prevent* Lead and RAP Training

Jon Needham

0121 675 2449

jon.needham@birmingham.gov.uk

Local Police

101 (non-emergency)

DfE Helpline

020 7340 7264 (non-emergency advice for staff and governors)

counter-extremism@education.gsi.gov.uk

NSPCC Whistleblowing Advice line

Call [0800 028 0285](tel:08000280285)

Email help@nspcc.org.uk

West House School - Specific Responsibilities

Designated Safeguarding Lead

Deputy Designated Safeguarding Lead (EYFS)

Out of Hours Care Designated Safeguarding Lead

Out of Hours Care Deputy Designated Safeguarding Lead

Governor Responsible for Child Protection

Chairman of the Board of Governors

Mrs. Paula Cusack

Mrs Rachel Green

Mrs Aimee Joseph

Ms Elaine Denham

Mr. James Gittins

Mr. Steven Heathcote

Mrs Cusack also holds the position of *Prevent* Single Point of Contact (SPOC) and is a member of the Senior Management Team. Mrs Green has responsibility for assisting Mrs Cusack in addressing issues specifically relating to pupils within the EYFS Department. Mrs Aimee Joseph is the DSL and Ms Elaine Denham is the DDSL for out of hours' care including before, after school and holiday club. The DSL is most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns.

The DSL and her deputies have a responsibility to ensure that all staff are made aware of the fact that safeguarding incidents/behaviours can be associated with factors outside the school and/or can occur between children outside school, otherwise known as Contextual Safeguarding.

Ethos, Philosophy and the Law

West House School's Child Protection Safeguarding Policy is founded on the philosophy that the welfare of the child is paramount and that a civilised society should have the protection of children from significant harm as a top priority. It embraces in its entirety the definition of safeguarding as:

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

The school makes every effort to produce and maintain an ethos in which the children feel safe, secure and experience a sense that they are listened to. As a small school, all members of staff have day-to-day knowledge of, and contact with, all pupils. They are, therefore, well placed to identify concerns and offer support to children in need.

Staff must at all times be vigilant to the signs and symptoms of child abuse and, if they have any concerns about a child's welfare, act upon them immediately. The school ensures that all children know that they may approach a member of staff if they are worried or in difficulty and contact details for external agencies such as Childline are clearly displayed throughout the site.

However, the school also recognises that some children may become victims of abuse, neglect and radicalisation. Clear procedures are laid out hereafter to deal with allegations of abuse or suspected cases of abuse, in whatever form they may take.

Section 175 of The Education Act 2002 states that schools have a legal obligation to report concerns to the Social Services.

The Children's Act of 1989 lays a duty on the local authority to provide services for children in need. West House School is aware of the role of these social services and will endeavour to build up good relationships with the necessary outside agencies in order to secure effective co-operation in cases of actual or suspected abuse.

There is a duty on behalf of the school to inform the relevant social services department at all times. The social services department may choose to investigate

such cases in order to prevent significant harm. The term "significant harm" covers ill-treatment and impairment of health or development. This may fall into one or more of the following categories:

- neglect
- physical injury
- sexual abuse
- emotional abuse

West House School recognises that significant harm may take place in a number of environments and situations including:

- within the family
- in a peer group
- from a carer
- from a teacher

The School's Commitment to Safeguarding Children and Promoting Their Welfare

The school and the Board of Governors are committed to:

1. Ensuring that a member of the full board is nominated to take leadership responsibility for the school's safeguarding arrangements.
2. Ensuring that the DSL is a suitably experienced and qualified member of the Senior Leadership Team.
3. Ensuring that all staff and governors are familiar with the DSL and the DDSL and their roles.
4. Ensuring that parents are made aware that a copy of this document is available for inspection in the school office and on the school website.
5. Ensuring that all members of staff are properly inducted, informed, trained and supported. All members of staff, including trainees, volunteers, etc. will have access to this policy via the staff handbook and the school intranet, as well as the appropriate training and briefings.
6. Ensuring that all new members of staff and volunteers read Part One of KCSIE including Annex A, the Code of Conduct – Teaching and Non - Teaching Staff and the Whistleblowing Policy as well as receiving a copy of this document and training of at least one hour's duration on Safeguarding, directed by the Headmaster or the DSL and in accordance with that recommended by Birmingham Safeguarding Children Board.
7. Ensuring that all staff will be required to acknowledge that they have read and understood this policy and the responsibility it places upon them and the school.
8. Ensuring that members of staff, including the Headmaster, will receive training every three years. The training of staff will extend to guidance designed to ensure that their behaviour and actions do not place pupils or themselves at risk of harm or allegations of harm to a pupil (see Appendix C 'Staff Relationships with Pupils – Code of Conduct' which forms part of the Code of Conduct – Teaching and Non-Teaching Staff).
9. Keeping written records of concerns about children (noting the date, the event and action taken) in a secure locked location.
10. Ensuring that the duty of care towards pupils and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour and assisting staff to

monitor their own standards and practice in accordance with the requirements laid out in Appendix C.

11. Working in close collaboration with Birmingham Safeguarding Children Board, ensuring that this policy is in accordance with government guidance and reflects locally agreed inter-agency procedures put in place by the LSCB.
12. Identifying and remedying any deficiencies or weaknesses in child protection arrangements without delay.
13. Ensuring that all staff who come into contact with pupils have relevant and recent DBS checks and that assurances are obtained that appropriate child protection checks and procedures apply to any staff employed by another organisation and working with the school's pupils on another site.
14. Operating safe recruitment procedures (including appropriate DBS and pre-appointment checks and compliance with Independent School Standards Regulations) which extend to any staff employed by another organisation and working with the school's pupils either on or off the school site. See Appendix B Policy for the policy and procedures regarding the safe recruitment of staff.
15. Ensuring that the school actively promotes the welfare of children through appropriate means.
16. Ensuring that senior members of staff place the safety and welfare of children at the top of their priorities.
17. Raising pupil awareness of safeguarding issues through the delivery of the curriculum and in assemblies.

In the EYFS the school and the Governors will specifically:

1. Designate a practitioner to take a lead responsibility for safeguarding children within the EYFS setting and liaising with local statutory children's agencies as appropriate. Mrs. Rachel Green currently holds this position.
2. Ensure that the use of mobile phones is not permitted within the EYFS setting, other than in the staff room. Staff are required to leave their phones in this room. All photographs of activities must be taken on cameras provided by the school and uploaded to the school network. Under no circumstances should photographs be uploaded to personal computers or taken using personal devices.
3. Inform Ofsted of any allegations of serious harm or abuse by any person living with, working with, or looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or any other abuse which is alleged to have taken place at the premises. Ofsted will also be informed of the action taken in response to such allegations as soon as reasonably practicable, but at least within 14 days.
4. If appropriate, the school will contact the relevant Early Years Consultant for the Early Years and Childcare Team on 0121 464 5897. In an emergency, outside normal office hours, the school will contact the Children's Social Care Emergency Duty Team on 0121 675 4806.

All Members of the Board of Governors are aware of the school's safeguarding procedures and receive a report of any training undertaken by members of staff. The Board of Governors will be informed of any incident involving the use of safeguarding procedures and will carry out annual review.

Types of Child Abuse

Most children suffer harm from within their own families or from someone they know or with whom they have formed a relationship. There are four main types of harm – physical, sexual, emotional and neglect. The types of harm to children are not stand alone issues but often overlap. It is also important to distinguish between “actual” significant harm and the likelihood of significant harm. Staff do not have to wait for an incident if they believe a child might be significantly harmed in some way.

Child abuse can be divided into several categories:

- **Persistent or severe neglect**
A lack of the basic care that children need to survive. This can include the failure to protect the child from danger, cold, starvation and the failure of care resulting in significant impairment of health or development. It includes leaving children unsupervised for unnecessarily long periods of time or in potentially dangerous circumstances.
- **Physical abuse or injury or the failure to prevent physical injury**
This can include hitting, shaking, squeezing, scalding, biting, giving children poisonous substances, inappropriate drugs and alcohol, suffocation and drowning.
- **Sexual abuse**
Actual or likely sexual exploitation of a child by any person able to exercise dominance. This may include all forms of actual or attempted sexual intercourse and involvement in the production of pornographic material and importuning.
- **Sexual Exploitation**
Child sexual exploitation 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 through the use of technology.
- **Emotional abuse**
Caused by persistent or severe emotional ill-treatment or rejection in which children are made to feel unwanted, ugly, worthless or unloved. It can include threats, verbal attacks, taunting, shouting, or a constant lack of love or affection, which lead to a child's loss of confidence or self-esteem. As all abuse involves some form of emotional ill-treatment, this category should be used when it is the main or sole form of abuse.
- **Institutionalised abuse**
A generic term which covers abuse which may involve a number of abusers, a number of children, and may encompass different forms of abuse. It involves, to a greater or lesser degree, an element of organisation.

Practical Guidelines for Detecting Signs of Abuse

These are important for people in regular contact with children. However, the possible indicators below are not fool-proof. Great care must be taken not to jump to hasty conclusions. Staff noticing such signs should discuss them with the school's DSL. Staff are reminded that the absence of obvious physical signs or symptoms of distress does not itself indicate that abuse has not occurred.

In particular, while the school recognises that any child may benefit from early help, staff are required to be particularly alert to the potential need for early help for a child who:

- Is disabled or has specific additional needs;
- Has special education needs (whether or not they have a statutory education, health and care plan);
- Is a young carer;
- Is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- Is frequently missing or goes missing from care or from home;
- Is misusing drugs or alcohol themselves;
- Is at risk of modern slavery, trafficking or exploitation;
- Is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- Has returned home to their family from care;
- Is showing early signs of abuse and/or neglect;
- Is at risk of being radicalised or exploited;
- Is a privately fostered child.

Possible Signs of Neglect

Constant hunger; tiredness; emaciation; destructive tendencies; poor personal hygiene and clothing; frequent lateness, earliness or non-attendance at school; compulsive stealing; no carer at home; low self-esteem.

Possible Signs of Physical Abuse

- Physical signs:
Unexplained injuries or improbable explanations for injury; untreated or recurrent injuries; injuries with a pattern e.g. hand or finger injuries, belt marks; cigarette or other burns or scalds; bite marks; admitted injuries caused by excessive punishment.
- Behavioural signs:
Fear of adult or carer including fear of going home; refusal to change for P.E., keeping limbs covered; fear of medical help; self-destructive tendencies; aggression towards others; sudden unexplained changes in behaviour; learning difficulties; very low self-esteem, including failure to respond to praise; inhibitions; cowering.

Possible Signs of Emotional Abuse

Developmental delay; admission of seemingly excessive punishment; overreaction to mistakes; sudden speech disorders; rocking, hair twisting or pulling; self-mutilation; extremes of passivity or aggression; drug/solvent abuse; attention seeking; bedwetting.

Possible Signs of Sexual Abuse

- Physical signs:
5-12 years: urinary infections; chronic ailments; stomach pains; frequent headaches; eating disorders.
- Behavioural signs:
Hints about secrets; saying a friend has a problem; beginning to lie, steal or blatantly cheat; unexplained sources of money; reluctance to undress for P.E.; excessive dislike of or refusal to see a particular person(s); refusal to go home; drawing of pictures depicting abuse; poor self-image; self-mutilation; taking over parenting role at home; regular running away; acting in a sexually inappropriate way for age.

Possible Signs of Sexual Exploitation

Significant Indicators:

- Acquisition of money, clothes, mobile phones etc without plausible explanation;
- Gang-association and/or isolation from peers/social networks;
- Exclusion or unexplained absences from school
- Leaving home/care without explanation and persistently going missing or returning late;
- Excessive receipt of texts/phone calls;
- Returning home under the influence of drugs/alcohol;
- Inappropriate sexualised behaviour for age/sexually transmitted infections;
- Evidence of/suspicious of physical or sexual assault;
- Relationships with controlling or significantly older individuals or groups;
- Multiple callers (unknown adults or peers);
- Frequenting areas known for sex work;
- Concerning use of internet or other social media;
- Increasing secretiveness around behaviours;
- Self-harm or significant changes in emotional well-being.

On the basis of careful assessment of the above factors, a decision should be made about whether there is reasonable cause to suspect that significant harm has occurred or might occur. If there is reasonable cause a referral should be made to Birmingham Safeguarding Children Board.

Safeguarding Pupils who are Vulnerable to Radicalisation

There are a number of local and national examples of attempts by extremist groups to radicalise vulnerable children and young people to hold extremist views including views justifying political, religious, sexist or racist violence, or to steer them into a rigid

and narrow ideology that is intolerant of diversity and leaves them vulnerable to future radicalisation.

West House School is clear in its stance relating to such radicalisation and exploitation. Such instances will be viewed as safeguarding concerns and the school will exercise its safeguarding duty to protect children from the risk of radicalisation. Definitions of radicalisation, and extremism, and indicators of vulnerability to radicalisation appear in Appendix D.

The school seeks to protect children and young people against the messages of all violent extremism including, but not restricted to, those linked to Islamic ideology, or to Far Right/Neo Nazi/White Supremacist ideology, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements.

Risk Reduction

The Board of Governors, the Headmaster and the DSL will assess the level of risk within the school and implement actions to reduce that risk. Risk assessment may include consideration of the school's RE curriculum, SEND policy, assembly policy, the use of the premises by external agencies, integration of pupils by SEN, anti-bullying policy and other issues specific to the school's profile, community and philosophy. This risk assessment will be reviewed as part of the annual s175 return that is monitored by the local authority and Birmingham Safeguarding Children Board.

Response

Under section 26 of the Counter Terrorism and Security Act 2015, the school has 'The Prevent Duty'. Should staff have concerns that a pupil may be at risk of radicalisation or involvement in terrorism, they should inform the DSL in her capacity as the school's SPOC (*Prevent* Single Point of Contact).

Numerous factors can contribute to and influence the range of behaviours that are defined as violent extremism, but most young people do not become involved in extremist action. For this reason, the appropriate interventions in any particular case may not have any specific connection to the threat of radicalisation. For example, they may address mental health, relationship or drug/alcohol issues.

If there is evidence of extremism or radicalisation in the school, either amongst the children, parents, staff or Governors, the Headmaster or the Deputy Head will inform West Midlands Counter Terrorism Police on 0800 789 321. The school would also consider whether it would be appropriate to make a referral of an 'at risk' individual to the Channel Programme. This focuses on providing support to people identified as being at risk of radicalisation. An individual's participation in the programme is entirely voluntary at all stages.

Female Genital Mutilation (FGM)

The school recognises its mandatory reporting requirement in respect of female genital mutilation. Staff are supported in recognising circumstances under which an act of FGM may have taken place, chiefly through the dissemination of information at staff meetings.

When a member of staff has reasons to suspect that an act of FGM has been carried out on a pupil, the situation will be discussed with the DSL, who may consult Birmingham Safeguarding Children Board before making a report to the police under the mandatory requirement.

If a teacher discovers, during the course of their work, that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must inform the DSL and report the matter to the police.

Children who go Missing from Education

A child going missing from education is a potential indicator of abuse or neglect, including sexual exploitation, FGM, forced marriage or travelling to conflict zones. School staff are alert to these safeguarding concerns when a pupil goes missing for an extended period, or on repeat occasions.

The school recognises its duty to notify the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of ten days or more. Details of circumstances under which the school will notify the local authority of a pupil having been deleted from the admissions register appear in the Admissions Register Policy.

Where reasonably possible, the school will hold more than one emergency contact number.

Looked After and Previously Looked After Children

The Board of Governors will appoint a designated teacher to promote the welfare and progress of any pupil who is 'Looked After'; the person would normally be the DSL. The school will ensure that the member of staff is suitably trained and supported and has access to all relevant information about the care arrangements and support structure for the pupil. In so doing, the school will liaise closely with the local authority to establish that it is party to up to date assessment information, the most recent care plan, contact arrangements with parents and delegated authority to carers. The appointed person will be made aware of the statutory guidance to local authorities – 'Promoting the Education of Looked After Children'.

Previously looked after children (such as those who have left care through adoption, special guardianship or child arrangement orders) potentially remain vulnerable and staff will be made aware of the fact that this is the case. The DSL, in the role of designated teacher, is responsible for ensuring that all staff have the skills, knowledge and understanding to keep previously looked after children safe and will liaise with external agencies as necessary in ensuring their safety.

In the event that a young person has ceased to be looked after and become a care leaver, the DSL will ensure that the school has details of the local authority personal advisor and liaise with them as necessary regarding any issues of concern affecting the care leaver.

Training of Staff

All external training will be delivered by training providers who are approved by BCSB or who can demonstrate appropriate accreditation.

The DSL, the DDSL and other staff with specific safeguarding responsibilities will receive updated child protection training every two years to the same standard. This

will include local inter-agency working protocols and training in BCSB's approach to *Prevent* duties. The training content will be in accordance with the requirements set out in Annex B of KCSIE and will include inter-agency working, participation in child protection case conferences, supporting children in need, identifying children at risk of radicalisation, record keeping and promoting a culture of listening to children. Both the DSL and the DDSL will receive training to a level which will allow them to provide advice and support to other members of staff on protecting children from radicalisation. In the absence of being able to access local training, the DSL and DDSL will access the appropriate training module on Channel.

All staff, including the Headmaster, will be trained in child protection every three years in accordance with the advice of BCSB. *Prevent* awareness training will be part of this, as will the importance of robust adherence to whistleblowing procedures, detailed in the Whistleblowing Policy. In the absence of being able to access local training, staff will access the appropriate training module on Channel.

The member of the Board of Governors with responsibility for safeguarding arrangements will be trained in child protection every three years. *Prevent* awareness training will be part of this. In the absence of being able to access local training, the member will access the appropriate training module on Channel.

All staff are required to read Part One of KCSIE including Annex A. Each time Part One of KCSIE is updated, existing staff will be updated. Hard copies and electronic copies will be provided by the school and staff will be required to sign a statement of having read and understood the document. In the event that staff cannot read English, nor read at all, a member of the Senior Management Team will ensure that they understand key information. There will be safeguarding updates at every staff meeting.

All new staff, including temporary staff and volunteers, will be provided with induction training that includes:

- The school's child protection safeguarding policy;
- The Code of Conduct – Teaching and Non – Teaching Staff;
- The Whistleblowing Policy;
- The E – Safety Policy;
- The identity of the DSL and the DSGL;
- A copy of Part One of KCSIE including Annex A

This training of new staff forms part of wider staff induction procedures and is recorded on an induction record sheet which is signed by the Headmaster/DSL and the member of staff.

Curriculum

The school recognises that it has an educational role to play in addressing safeguarding issues with its pupils chiefly through school assemblies, ICT, RE and PSHE lessons. These all include areas of learning which develop knowledge and understanding about families, the right of children to be safe and well cared for, as well as developing the ability to recognise risks and build resilience, including to radicalisation, with particular attention to the safe use of electronic equipment and the internet (In the EYFS such issues are covered at an appropriate level in Topic of the Week and Knowledge of the World).

These topics should encourage pupils to keep themselves safe and develop good caring skills for the future. Staff are made aware that such subjects could cause distress and need to be approached with sensitivity.

Where appropriate the school makes use of resources promoted by the DfE including:

- The use of social media for online radicalisation
- The UK Safer Internet Centre (www.saferinternet.org.uk)
- CEOP's Thinkuknow website (www.thinkuknow.co.uk)

Procedures

Concerns about a Child – Staff Responsibilities

In the event of confidences being shared or offered to someone, staff should be aware that, legally, a child can be interviewed only once over child protection issues. The school will never initiate an investigation. Usually, the police or social services try to ensure that the interview takes place under video conditions or, as a minimum, in the presence of an expert witness. If a child reveals that he or she has already been interviewed by a teacher, then the evidence may be regarded as contaminated. Therefore, staff must be clear about what constitutes listening to a disclosure and what constitutes an interview.

Should a child wish to make a disclosure, the teacher should be receptive and an opportunity to do so should be given priority. A child may never summon up the courage to approach an adult again if the opportunity is lost.

The teacher should never promise confidentiality beforehand as, legally, this may prove impossible. A compromise could be to say, "Naturally, I would not gossip about your secret, but, if we need help to sort it out, I may need to tell someone else." If a pupil refuses to go along with only that reassurance, the disclosure should not take place. The teacher can only suggest that the pupil takes a time to think and then comes back or contacts a help-line.

A situation like this, where disclosure does not take place, should be reported to the DSL who should contact the Local Authority Designated Officers (LADOs) to discuss their doubts or concerns. This may be done informally and without giving naming the school or the individual in the first instance. The Headmaster should be informed.

If disclosure does occur, staff should:

- Stay calm and reassuring.
- Listen quietly and believe what the child says.
- Avoid judgmental reactions and protestations, either in expression or verbally.
- Encourage the child by telling him/her that he/she was right to confide in someone, and that you will try to help him/her.
- Make it clear that you realise that what he/she is doing is hard for him/her and that you are pleased that he/she trusts you.
- Try to let the child tell his story as free narrative. Questions should be linked and open-ended, for example:
 - Has something happened to you?
 - Can you tell me what happened?
 - Where did it happen?
 - When did it happen?

Was anyone else present?

Can you tell me about it using your own words?

What upset you? (After being told the child was upset.)

- Make no promises.
- Find out whether they have told someone else.
- Avoid pressing for details or asking leading questions.

If early help is appropriate, the DSL or DDSL should take the lead and liaise with other agencies as required.

In terms of the younger children (such as those within the EYFS), if a staff member notices an injury, or someone reports an incident or a child says something significant, they must refer the matter to the DSL or DDSL who should contact the LADOs to discuss concerns. Again, this may be done without naming the school or the individual in the first instance. The Headmaster must also be informed.

In the event that the DSL suspects that a child has suffered significant harm or is at risk of significant harm, a referral will be made to social services and the police will be contacted without delay.

Confidentiality

Confidentiality for the child, family (and any other individuals named in allegations) will be maintained. However, the duty to protect children overrides other principles with regard to confidentiality and children cannot be guaranteed absolute confidentiality when making a potential disclosure to a member of staff.

Supporting the Pupil at Risk

Pupils who have suffered or who are at risk of suffering serious harm will be reported to children's social care immediately. Those who require additional support from one or more agencies will be referred for inter-agency assessment using local processes. In so doing, the school will liaise with the IASS.

The school recognises that children who are abused or witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of self-blame.

The school will endeavour to support the pupil through:

1. The content of the curriculum to encourage self-esteem and self-motivation.
2. The school ethos which promotes a secure, positive, supportive environment and gives pupils a sense of being valued.
3. The school's behaviour policy which emphasises the importance of supporting vulnerable pupils.
4. Record keeping and notifying Social Services of concerns.

Pupils in Need of Additional Support

The school is aware of the most recent DfE advice and information which dovetails with WT and the SEND Code 2015. In carrying out its duty of care the school will seek appropriate guidance from:

- Mental Health and Behaviour in Schools (March 2015)
- Counselling in Schools: a blueprint for the future (March 2015)

The school operates a programme of PSHE intervention designed to provide additional support to vulnerable pupils including those with SEND. The intervention is provided by a member of staff with experience in mental health issues. Records of the intervention are maintained.

Should anyone have concerns relating to any individual pupil who might be in need, the matter should be raised during the weekly staff behavioural meeting.

Alternatively, they may inform a member of the Senior Leadership Team who will take appropriate action. This may include:-

- Referral for PSHE Intervention
- Referral to the school nurse
- Referral to the DSL

Record Keeping

Staff must be aware that their evidence may be vital in the event of an investigation. Therefore notes on the disclosure should be made using 'Form 1 – Logging a Concern about a Child's Safety and Welfare' (an example of which appears in Appendix E of this policy) as soon as possible, giving details of time, place and the number of people present. If, at any time, worrying changes are observed in a pupil, a specific and confidential record will be set up. This will include the name, age, address of the pupil, with timed and dated observations describing the pupil's behaviour/appearance objectively, without added comments or interpretations. If possible, the pupil's exact words will be recorded. The record will be signed and dated by the recorder.

Any such record should be passed to the DSL or the DDSL and will be kept in a separate file not accessible to the general staff. If necessary, the DSL or the DDSL will complete Form 2 – 'Front Sheet – Child Protection Record'. In all cases, the date of the record being taken and the name of the child will be recorded in a bound book.

How to Report Allegations against Staff and Volunteers

Allegations made by another staff member

The school actively promotes a culture of safety and raising concerns. It values its staff and encourages reflective practice. Where there are concerns relating to poor or unsafe practice and potential failures in the school's safeguarding regime, staff should follow the whistleblowing procedures laid out hereafter and in the Whistleblowing Policy. Concerns raised will be handled sensitively and with transparency and accountability. Training and support will be provided for staff and the provision for mediation and dispute resolution where necessary. Further details appear in the Staff Handbook.

Staff can raise any concerns they may have about another staff member, temporary worker or volunteer with the Headmaster and should do so without delay. They can do this confidentially, although the Headmaster will involve the DSL as she will have received a higher level of training. In the absence of the Headmaster, the Chairman of the Board of Governors should be informed, who will again involve the DSL.

Should staff have concerns relating to the DSL, the matter should be reported to the Headmaster and, in his absence, the Chairman of the Board of Governors.

Should staff have concerns relating to the Headmaster, the Chairman of the Board of Governors should be informed, without first notifying the Headmaster. The contact details for the Chairman of the Board of Governors are available from the Secretary to the Board, Mrs Ann Doyle.

Should staff be unable to contact either the Headmaster or the Chairman of the Board in line with the reporting mechanism described above, the matter should be referred immediately to the LADOs.

Allegations made by pupils i.e. following a disclosure

When an allegation of abuse is made by a pupil(s) against a teacher, temporary worker or volunteer, the Headmaster should be informed immediately. The Headmaster will refer the matter to the DSL. If an allegation is made against the DSL then the teacher/member of staff to whom the disclosure has been made should inform the Headmaster immediately and, in his absence the Chairman of the Board of Governors. If an allegation is made against the Headmaster the Chairman of the Board of Governors should be informed immediately.

In All Cases

If an allegation is made against a teacher or other member of staff, it will be the priority of the school to establish a quick resolution of the allegation to the benefit of all concerned. At all stages of consideration and investigation the school will act without unnecessary delay.

Immediate contact will be made with the LADOs or MASH team at Birmingham Safeguarding Children Board (BSCB). The responsibility for this lies with the DSL, the Headmaster or the Chairman of the Board of Governors, in line with the reporting mechanism described above. **However, should anyone feel that a matter has not been referred in accordance with this policy, they should make the referral themselves.**

The nature of the allegation will be discussed with the LADOs or MASH team, including the content and context. In borderline cases discussions will be held informally without naming the school or the individual. In more serious cases, involvement of the police will be discussed and in the most serious cases, the police will also be informed from the outset so as not to jeopardise statutory investigations.

Discussions will be recorded in writing, and any communication with both the individual and the parents of the child/ children agreed. The school will consider carefully at this stage whether the circumstances of the case warrant suspension or whether alternative arrangements should be put in place. The school will give due weight to the views of the LADOs and to its own policy when making a decision about suspension.

Immediate consideration will also be given to any need for medical assistance on the part of the alleged victim and to seeking medical evidence of suspected or alleged abuse, again in accordance with local safeguarding procedures.

BSCB is the lead agency for child protection investigations and key worker support after a child is identified as being potentially at risk. The school will support the department in preventative work, identification of concern and post-investigation support to pupils.

Confidentiality will be maintained throughout this stage, in order that any subsequent investigation is not prejudiced. With restrictions on the reporting or publishing of allegations against teachers being effective since 1st October 2012, the school will make every effort to maintain confidentiality and guard against unwanted publicity. The school recognises that such restrictions apply up to the point where the accused person is charged with an offence, or the DfE/TRA publish information about an investigation of decision in a disciplinary case.

Temporary and Voluntary Workers

Workers joining the school in a temporary or voluntary capacity will receive a minimum of one hour induction training in issues relating to child protection procedures and arrangements from the DSL, The DDSL, or a member of the Senior Management Team. Under such circumstances, a signed record of the training will be maintained on the individual staff file. Should training be arranged for the school staff during the period of voluntary work, volunteers will be expected to attend and will receive appropriate certification.

Children and Young People Who Abuse Other Children

The school recognises that children are vulnerable to abuse by one or more of their peers. While the school also recognises the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be the victims and boys the perpetrators) all peer on peer abuse is unacceptable and will not be tolerated. Staff should not dismiss abusive behaviour such as the passing of abusive comments as 'banter', 'having a laugh' or 'part of growing up'. Likewise, the following should not be tolerated as being normal between young people and staff should ensure that they maintain an appropriately low threshold before taking action in accordance with the Anti-Bullying Policy:

- Bullying (including cyberbullying);
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- Sexual violence and sexual harassment;
- Sexting (also known as youth produced sexual imagery);
- Initiation/hazing type violence and rituals.

The risk of peer on peer abuse is minimised in the following ways:

- By ensuring that pupils are appropriately supervised in accordance with the relevant policies;
- Through raising pupil awareness of what constitutes peer on peer abuse via assemblies and the delivery of the PSHE curriculum, supported by visiting speakers and agencies as appropriate.

Should staff suspect peer on peer abuse is taking place, concerns should be raised with the DSL who will maintain a record of the concern and carry out an investigation if

deemed to be appropriate. Details of the investigation and any action taken will be retained on the Child Protection file.

Where there is 'reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm' under these circumstances, the matter is taken as seriously as abuse by adults and is subject to the same child protection procedures.

In such instances, the needs of the victim and the needs of the alleged aggressor will be considered separately, though both perpetrator and victim will be considered to be 'at risk. The DSL will take appropriate action, which may involve consultation with and referral to local agencies as a child protection concern. This may be the case if the evidence suggests that there was an intention to cause severe harm to the victim or where the aggressor has repeatedly tried to harm one or more other children.

In addition to safeguarding the identified victim, the DSL will request that appropriate external agencies consider whether the alleged aggressor poses a risk to any other children.

In the event of the school becoming aware of a pupil engaging in sexual activity, the DSL will immediately notify social services.

All staff have a duty to inform the Headmaster and the DSL should they have concerns relating to potential and perceived abuse of any pupil by another young person.

Safe ICT Usage

The school E-Safety Policy highlights the appropriate use of ICT at school and addresses aspects of online safety which may fall within the auspices of safeguarding. Access to the internet is filtered and monitored by the school's Network Manager and the Head of ICT.

Any inappropriate usage should be brought to the attention of the DSL immediately. Should incidents be related to issues of child protection, they will be investigated and referred as appropriate to outside agencies. Evidence such as computers will be preserved.

The Use of 'Reasonable Force'

There are circumstances when it is appropriate for members of staff to use reasonable force to safeguard children. 'Reasonable' means 'using no more force than is needed' and actions may range from leading a child to safety by the arm to physically restraining a pupil to prevent violence or injury.

When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or medical conditions, the school will consider the risks carefully and recognise the additional vulnerability of these groups.

All episodes of staff using reasonable force will be recorded and maintained in the appropriate file.

Statutory Obligations

The school will report promptly to the DBS any person (whether employed, contracted, a volunteer or student) whose services are no longer used for regulated activity and where the DBS referral criteria have been met – specifically, that they have caused harm or posed risk of harm to a child.

The school also recognises its duty to consider making a referral to the Teaching Regulation Agency (TRA) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. Guidance is published on the TRA website.

When a child leaves the school, the DSL will ensure that their child protection file is transferred to the new school as soon as possible, ensuring secure transit and confirmation of receipt. The DSL may elect to contact a receiving school in advance of a child leaving.

Review

A review of the school's child protection policies will take place annually, including an update and review of the effectiveness of procedures and their implementation. The review will be undertaken by the DSL and the Board of Governors. The Board will need to be satisfied that the school contributes to interagency working in line with WT through effective communication and good cooperation with local agencies. The breadth and depth of the review will be appropriately recorded.

Should any deficiencies or weaknesses in child protection arrangements become evident, they will be remedied without delay. If there has been a substantiated allegation against a member of staff, the school will work with the LADOs to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in future.

This policy should be read alongside:

- Off-Site Activities and Educational Visits Policy
- Policy on Pupil Restraint
- Policy on e-safety
- Policy on Pupil Behaviour
- Code of Conduct – Teaching and Non-Teaching Staff
- Whistleblowing Policy

Implemented: July 2001
Date: September 2018
Review Date: September 2019

Appendix A - Investigation of an Allegation Against a Member of Staff or Volunteer

The school will only launch its own investigation on the advice the LADOs (or in the most serious cases, the police) so as not to do anything that may jeopardise a police investigation, such as asking a child leading questions. In borderline cases, discussions with the LADOs will be held informally without necessarily naming the school or individual.

Immediately an allegation is made, the person responsible for handling the matter as indicated above should consider and initiate as necessary the following action, on the advice of the LADOs (or in the most serious cases, the police) :

Obtain details of the allegation in writing, signed and dated or, where not practicable, obtain a written record of the discussion with the pupil or parent from the member of staff to whom the allegation was made. The written record should cover all the points raised by the pupil or parent and should be signed and dated by the member of staff to whom the allegation was made.

Subsequent investigations will be in accordance with the local child protection procedures. Early action to establish the nature of the allegation and to make an initial assessment of whether it should be investigated should be undertaken in such a way that it does not prejudice any such subsequent investigation. The investigation should be guided by the advice of Social Services. There must be no interference with evidence.

Initial enquiries should be undertaken as a matter of urgency, but not with the child in question, to check the practical details of the allegation and to establish the facts. This assessment is not an investigation to determine guilt or innocence. It may, however, involve making enquiries of staff or pupils on a confidential basis. The nature of the enquiries might include, for example:

- were the child/children and teacher in contact on that day?
- were there any witnesses?
- what were the precise times, dates, location?

A written record of these factual matters should be made using Form 3 – ‘Investigating an Allegation of Child Abuse’.

The investigating person should decide whether or not further action is indicated.

Where the investigating person believes that the allegation is without foundation, he/she should:

- consider whether the child might have been abused by someone else;
- take no further action under disciplinary or child protection procedures in relation to the teacher;
- inform the teacher of the allegation and the fact that no further action is to be taken under disciplinary or child protection procedures. The teacher may be accompanied by a teacher organisation representative or a friend;
- consider whether formal professional advice to the teacher is appropriate and the form it might take;

- inform the parents of the child or children of the allegation and the outcome; and
- consider appropriate counselling and support for the child or children who made the allegation(s) and, where appropriate, their parents; in particular, take into account a child's special needs where a false or malicious allegation seems to have been made;
- prepare a report, setting out in conclusion that the allegation is without foundation, with reasons. Social Services should be informed of the decision and invited to propose further action should they wish to do so.

Where the investigating person believes that it is necessary to investigate the allegation further, he/she should;

- EITHER inform one or more of the agencies with statutory duties and/or powers to investigate and intervene, that is:
The Police
The Social Services Department
The NSPCC
- Such referral should be according to local child protection procedures and could be made by either the Headmaster, the DSL or the Chairman of the Board of Governors in the school;
- OR, where wholly satisfied that the child or children is/are not at risk of significant harm, or that a reportable criminal offence has not been committed, undertake further investigations at school level prior to considering the appropriateness of disciplinary action.
- Inform the child, children or parent making the allegation and explain the likely source of action;
- Ensure the child's or children's parents are informed of the likely course of action;
- Inform the teacher against whom the allegations is made and explain the likely course of action;
- Where the Chair of Governors of the school has not already been informed, do so.

Police Involvement

In some cases the police might wish to interview the teacher against whom the allegation is made before any approach is made by the DSL. The police may act independently of the school, particularly where the alleged offence is unconnected with a teacher's professional life. Police officers should be given every assistance with their enquiries but confidentiality about the enquiries maintained in the teacher's interests.

Where the police are involved it would not normally be expected that police interviews would be undertaken on school premises and it would be expected that appointments are normally made for such interviews to occur at reasonable times.

Considering whether suspension is appropriate

The Headmaster (potentially acting on a recommendation from the DSL) or the Chairman of the Board of Governors should not automatically suspend or recommend suspension of a teacher against whom an allegation is made unless the initial assessment of the allegation suggests that further investigation is necessary. Legal

advice should be sought before a decision to suspend is taken. Suspension may be considered at any stage of an investigation.

Suspension should not be undertaken without good reason. Circumstances in which suspension occurs include:

- Where the allegations are so serious that dismissal for gross misconduct is possible;
- Where it is necessary for the conduct of the investigation to proceed unimpeded;
- Where children are at risk.

In all cases where suspension is being considered, the Headmaster or the Chairman of the Board of Governors should advise the member of staff or volunteer to seek assistance and advice from an appropriate source.

Where no action is taken to suspend

The DSL, Headmaster or Chairman of the Board of Governors should explain to the member of staff or volunteer the circumstances which led to consideration of suspension and further explain any follow-up action which it is proposed to take.

A teacher may be accompanied by a teacher organisation representative or friend at this meeting. According to the circumstances of the case, appropriate assistance or advice may be offered to the teacher. According to circumstances, appropriate counselling services should be considered.

If a teacher has not been suspended but there are still concerns about aspects of a teacher's conduct, a full investigation will be undertaken before making a decision about further action under disciplinary procedures.

An interview to consider suspension

Where suspension of a member of staff who is being considered, an interview should be arranged in accordance with the following guidelines. Normally, the interview should be undertaken outside pupil contact time.*

A member of staff or volunteer who is called to an interview where suspension is a likely outcome should be advised to seek the advice and assistance from an appropriate organisation. Where the person is not a member of an organisation he/she may be assisted by a 'friend' who may be another member of staff at the school.

The member of staff or volunteer should be informed at the outset of the interview that an allegation has been made and that, at the conclusion of the interview, suspension might occur. The member of staff or volunteer, where accompanied, should be offered the opportunity of a brief meeting with the representative or friend before the interview or, in the absence of representation, should be offered the opportunity of a brief adjournment. It should be made clear, however, that the interview is not a formal disciplinary hearing but is for the purpose of putting forward a serious matter which may lead to suspension and further investigation.

The member of staff or volunteer should be given as much information as possible about the allegation and about the reasons for the suspension. They should be given

an opportunity to make representations concerning the suspension. An adjournment should be offered prior to response.

If, as a result of the interview, it is considered that suspension is necessary along with a full investigation of the allegation, the member of staff or volunteer should be advised that he or she is suspended from duty. Written confirmation of the suspension should be despatched within one working day, giving reasons for the suspension.

***In accordance with the relevant ACAS Code of Practice, where the teacher is a trade union or safety representative, the interview should not be arranged without prior discussion with the relevant branch secretary or a full-time official of the trade union concerned. From the outset it should be established that the action being taken is not an attack on the functions of a trade union.**

After a decision to suspend pending investigation

Where a suspension takes place, the Chairman of the Board of Governors should be informed formally, in writing. The Headmaster should report to the governing body that a teacher has been suspended pending investigation. It is inadvisable to provide more than the minimum information necessary to the governing body, as more than this would prejudice governors' impartiality in any subsequent hearing or appeal in disciplinary proceedings.

The pupil or parent making the allegation should be confidentially informed of the suspension. Where the pupil is under 18, his or her parents should normally be informed, so far as is consistent with child protection procedures.

Senior teachers in the school who need to know of the reason for the suspension should be informed so far as is necessary in the particular circumstances.

The Headmaster, in liaison with the DSL, should take a decision on informing other staff colleagues in the school of the suspension. The Headmaster should consider the extent to which it is necessary to make a statement to parents of children in the school, having considered the need to avoid unwelcome publicity.

In certain circumstances, it may be necessary for the Headmaster or the DSL to provide immediate reassurance to parents and children in the school and there may be a need for information to continue to be provided during the course of an investigation to parents, children and other colleagues. Guidance should be sought on these matters from a senior local education authority officer or from Social Services or the police, as relevant and appropriate.

The Headmaster should consider carefully, and keep under review, decisions as to who is informed of the suspension and investigation and to what extent confidentiality can or should be maintained, according to the circumstances of a particular case. In a situation where a matter becomes common knowledge or the subject of general gossip, it may be desirable to provide an accurate statement for public information. The school should take advice from a senior local education authority officer on this matter as necessary.

Support for the teacher during the period of suspension

Social contact with the teacher's colleagues and friends at the school should not be precluded except where likely to be prejudicial to the presentation of evidence.

Although it is the aim that all investigations should be conducted as speedily as possible consistent with establishing the full facts, arrangements should be made for the member of staff, or his or her representative, to be contacted regularly with information on progress and developments on the case. These arrangements should not stop the teacher, or his or her representative, contacting those conducting the investigation at any time.

A contact should also be in a position to provide the member of staff with information about developments at the school in general, according to the needs and wishes of the member of staff to be kept informed.

In some cases, it may be appropriate to ask the member of staff whether welfare counselling of the support of the local authority's medical adviser would be helpful, or to respond to a request of the teacher for such further support.

Support for others concerned

Consideration should be given to what support may be needed for the child or children making the allegations and to their parents. Consideration should also be given to what support may be needed for others at the school, both staff and pupils, according to the circumstances of the alleged abuse. In some cases, therapeutic counselling from expert sources may be necessary. Such a decision will be made following consultation with the IASS.

The investigation

There will be three possible routes for an investigation:

- By the police
- Under local child protection procedures.
- Under teacher disciplinary procedures.

Any investigation by the police or child protection agencies will take priority over an internal investigation by the school. An internal investigation running alongside a police or child protection agency enquiry is not likely to be good practice and should be held in abeyance pending the outcome of the external investigation.

'Working Together' recommends that there should be a Strategy Meeting to discuss and plan the conduct of an investigation under child protection procedures. It is desirable that the Designated Safeguarding Lead be involved in and contribute to such strategy meetings in cases of allegations against members of staff or volunteers.

Outcome of the investigation

The following definitions will be used when determining the outcome of an investigation:

- **Substantiated:** there is sufficient evidence to prove the allegation;
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- **False:** there is sufficient evidence to disprove the allegation;
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;

- **Unfounded:** reflects cases where there is no evidence or proper basis which supports the allegation being made.

At the end of the investigation, a meeting should be arranged to inform the member of staff of the next steps. A member of staff may be accompanied or represented by an organisation, representative or friend.

If the outcome is a disciplinary charge, further action will be in accordance with the school's disciplinary procedures.

Where it is decided not to proceed with any form of disciplinary action, a suspension should be lifted immediately. The DSL, Headmaster or the Chairman of the Board of Governors as appropriate should meet the member of staff to discuss the return to work.

Other than in the event of dismissal, the DSL should provide the opportunity for informal counselling. This could be used to give appropriate guidance, support and reassurance and to help rebuild, where necessary, a member of staff's confidence. There may also be a need for specific guidance and sympathetic consideration may need to be given to other employment options, in consultation with the local education authority.

On the conclusion of any investigation and any related disciplinary proceedings, the child or children who make the allegations and their parents should be informed of the outcome of the proceedings. This should be prior to a member of staff's return to school if he or she has been suspended. In some circumstances, consideration should be given to the broader disclosure of details of the outcome, together with reasons, for example, where the issues are of general importance, have become common knowledge or have been the subject of general gossip and there is a need to provide accurate details for public information.

Appropriate counselling and support should be offered to the child or children who made the allegations and, where appropriate, their parents, on the teacher's return to school. In particular, this should take into account a child's particular needs where a false or malicious allegation has been made.

Records

Documents relating to an investigation should be retained, together with a written record of the outcome of the investigation and, where disciplinary action has been taken, retained on a member of staff's personal and confidential file in accordance with the school's disciplinary procedures. However, where an allegation is found to be malicious it will be removed from personnel records. Records will be kept of all other allegations, but any that are not substantiated, are unfounded or malicious will not be referred to in employer's references.

If a teacher is dismissed, or resigns before a disciplinary process is completed, the Headmaster will inform the teacher about the employer's statutory duty to report the case to the Department for Education Teacher Misconduct Section.

Where a pupil has made an allegation, a copy of the statement or the record made of it should be kept on the section of a pupil's personal file which is not open to disclosure, together with a written record of the outcome of the investigation.

If a person's (employed, contracted, peripatetic, a volunteer or student) services are no longer used because they are considered unsuitable to work with children, it is the responsibility of the Headmaster to report to the Disclosure and Barring Service (DBS) within one month. If the Headmaster is the person in question, it is the responsibility of the Chairman of the Board of Governors to inform the DBS.

In the above context, ceasing to use a person's services includes: dismissal; non-renewal of a fixed term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training or volunteering. 'Compromise Agreements' cannot be used to prevent a referral being made to the DBS when it is legally required nor can an individual's refusal to cooperate with an investigation.

The school recognises its duty to consider making a referral to the Teaching Regulation Agency (TRA) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. Where dismissal does not reach the threshold for DBS referral, separate consideration will be given to a TRA referral. Reasons for such a referral might include 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or a 'conviction, at any time, for a relevant offence'. Advice about whether an allegation against a teacher is sufficiently serious to refer to the TRA can be found in 'Teacher Misconduct: the Prohibition of Teachers' (July 2014).

Appendix B - Recruitment of Teaching and Non-Teaching Personnel Policy and Procedures

Aim

West House School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The Governors are aware of their responsibility in appointing appropriate staff and ensuring that they all have the necessary health and qualifications for a particular post. Of paramount importance is the responsibility to ensure that all appointees are proper and fit persons to be in charge of, or working alongside, children, while acknowledging the changes introduced from January 2015, bringing standards into line with the Protection of Freedoms Act 2012.

The specific aims of this policy are:

- To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- To ensure that all job applicants are treated fairly in line with the relevant and related policies, including The Equal Opportunities Policy and The Policy on Disability and Discrimination;
- To ensure compliance with all relevant regulations, recommendations and guidance, including the requirement to have regard to KCSIE (2016) and the necessity to undertake barring list checks only where ‘relevant’, available and required. The school will also ensure that at least one member or a selection panel will have appropriate training in safer recruitment;
- To ensure that no member of staff or potential appointee is barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006 (c) or carries out work, or intends to carry out work, at the school in contravention of any direction made under section 142 of the 2002 Act(d) or any disqualification, prohibition or restriction which takes effect as if contained in such a direction;
- To ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks in line with the full legal definitions of ‘regulated activity’ as set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

Responsibilities

The Headmaster is responsible for ensuring that the procedures laid out herein are followed on a consistent basis and that all necessary checks are carried out. The Headmaster has received appropriate training in safer recruitment and oversees all staff appointments including volunteers.

The Headmaster is also responsible for informing the Board of Governors of changes in regulation and policy and implementing those changes.

Mr. James Gittins is the member of the Board of Governors responsible for safeguarding and pupil welfare and has received training in safer recruitment and child protection. When possible, she represents the Board of Governors in the interview process for teaching and non-teaching posts.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

The Appointment of Teaching Staff, Members of the Senior Management Team, EYFS Staff, Teaching Assistants and Non-Teaching Staff

- The following procedures apply to any person working at the school whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include the appointment of governors (the 'proprietor'), supply staff or volunteers. The following are included: teachers, peripatetic teachers and coaches, part-time staff, gap students, administrative staff, caretakers and other ancillary staff, staff appointed from overseas, students paid to work at the school (for example as after-school carers).
- Such posts are advertised internally and externally as appropriate. Generally, external adverts are placed in the Times Educational Supplement, the local press and appropriate web-based sites, depending upon the job in question. All adverts carry a statement of the school's commitment to safeguarding and promoting the welfare of children, along with the requirement for an appropriate DBS check to be undertaken as part of the appointment process. Additionally, adverts highlight a commitment to equal opportunities and a requirement to apply using the school's application form. Candidates are invited to contact the school for further details.
- An appointments panel, comprising the Headmaster and at least one other member, draws up a person specification, focusing on the skills and attributes for the job only and ensuring that there is no contravention of human rights, race relations and sexual discrimination/orientation.
- Upon request, candidates receive an application pack containing the following information: - Job Description and Person Specification, Application Form, Child Protection Safeguarding Statement, Equal Opportunities Statement, School Information, details of Interview Procedure and the Referee requirement.
- Applications for all posts will usually only be accepted on the standard application form. However, in certain circumstances, such as an agency worker being taken onto the staff, a CV will be accepted. Any gaps in employment history will be investigated prior to interview and, if necessary, further explored at interview.
- Two References are taken up for those most closely satisfying the person specification. References must include the most recent employer and be contacted by the school directly. References will include a request for any reason why the applicant should not be employed to work with children. The school may contact a referee via telephone following receipt of a written reference or as an alternative to a written reference. Under such circumstances a full record of the conversation will be taken, dated and signed. References accompanying an application form will not be accepted. The school will access the Advisory, Conciliation, and Arbitration Service (ACAS) website to obtain additional information about references as necessary. Where information about past disciplinary action or allegations is disclosed, it will be considered as part of the suitability assessment.
- Should there be a 'good reason' to make a conditional appointment immediately, references will be taken over the telephone and followed up in writing as soon as practicable thereafter. Appropriate documentary evidence,

including notes of telephone references, will be retained on the member of staff's personal file.

- References not received in good time before appointment will be chased by telephone and alternative referees approached if necessary.
- All posts involve an interview with the appointments panel, one member of which will have received safer recruitment training. The secretary to the Board of Governors may attend to ensure that procedures are consistently followed for each interview. Those attending interview are requested to bring photo identification (current photo driving licence or passport), proof of qualifications (as appropriate) and proof of address (a utility bill indicating name and home address, bank statement or similar) and confirmation of the right to work in the UK (following the advice of the Home Office in 'Prevention of Illegal Working').
- Only original documents will be accepted. In the event that such documents are not brought to an interview, they will be required as a condition of any potential offer of employment.
- Where a candidate claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.
- Teaching posts may require candidates to teach a lesson and/or undertake a presentation to the appointments panel. Should this be the case, they will be informed via the application pack.
- Checks of previous employment history will ascertain satisfactory reasons for any gaps in employment. Information provided by a candidate will be checked against references received, and discrepancies taken up with the candidate.
- Candidates will be asked if they consider themselves to be medically fit to carry out the duties outlined in the job description.
- The successful candidate is informed by telephone. This is followed by a written offer. Following written confirmation of acceptance on behalf of the candidate, the remaining interviewees are informed of the decision in writing. Any appointments are conditional upon an appropriate DBS/List 99 check, photographic proof of identity, proof of qualifications and address, confirmation of the right to work in the UK, EEA check, a declaration of medical fitness and satisfactory references. All such checks will be completed before an applicant takes up their post at the school and, with the exception of DBS certificates, retained on the member of staff's personnel file.
- Unsuccessful candidates are offered the opportunity for interview feedback.
- Records of age, gender and ethnic background are kept for all short-listed candidates.

Criminal Records Checks

Due to the nature of the work, the school treats all of the above appointments as constituting 'regulated activity' and, as such, applies for advanced criminal record certificates from the Disclosure and Barring Service (DBS) in respect of all prospective staff members. Applications for disclosures will be made 'before or as soon as practicable after appointment' and as close to the uptake of the appointment as possible.

Should an applicant have been outside the UK for a continuous period of more than three months during the previous five years, they will be considered to have lived outside the UK and the following will apply.

In the case of any person for whom, by reason of that person living or having lived outside the United Kingdom, obtaining such a certificate is not sufficient to establish the person's suitability to work in a school, the school will carry out any such further checks as it considers to be appropriate, having regard to any guidance issued by the Secretary of State.

In the event that an applicant is still overseas, the school will seek assurances of an applicant's identity from a reputable source overseas (such as the overseas school where the applicant is currently employed or studying) before submitting a disclosure application via its umbrella organisation. Such assurances will be passed on to that organisation. Such applicants should refer to DBS guidance for applicants with unusual addresses.

If the disclosure is not considered sufficient (because it would not cover offences committed abroad, but only those on the Police National Computer), the school will obtain whatever evidence of checking is available from the person's country of origin (or any other countries in which he or she has lived) before the appointment is made.

A UK national returning after working in a foreign country will be asked to obtain a certificate of good conduct or equivalent form the country in question. Additional references will be requested for applicants from countries which do not provide criminal record checks. The school will consult Home Office guidelines on what checks are available from different countries.

Where a newly appointed member of staff has worked in a UK school since moving from overseas, the standard checks will be made.

The school acknowledges the fact that in the specific circumstances highlighted below, the criminal record checks referred to above do not need to be carried out:

- Where the new member of staff has worked in a school or maintained school in England in a position which regularly brought that person into contact with children or young persons.
- Where the new member of staff has worked in a maintained school in England in a position to which that person was appointed on or after 12th May 2006 and which did not bring them regularly into contact with children or young persons.
- Where the new member of staff has worked in an institution within the further education sector in England in a position which involved the provision of education or which brought that person regularly into contact with children or young persons, during a period which ended not more than three months before the new member of staff's appointment.

A disclosure form a previous employer will be accepted if the subject gives written consent and as long as there is not a gap in employment of three months or more. In such circumstances the following details will be recorded: - the date of the disclosure, who obtained it, the level of disclosure and its unique reference number.

However, as a matter of good practice, in the three circumstances highlighted above, the school will apply for an enhanced criminal record check within three months of

the new member of staff commencing employment. Upon receipt of a disclosure applied for by the school, details of the ‘portable’ disclosure will be destroyed.

Where an enhanced disclosure is applied for but not received in advance of a member of staff starting work, or where a ‘portable’ disclosure is used, a separate barred list/List 99 check will be undertaken prior to the employment commencing. This will be done via the Teachers’ Pensions online service (operated by Capita Business Services Ltd.) www.teacherspensions.co.uk

With disclosures no longer supplied to the employer (as of 17th June 2013), an applicant will be treated as unchecked and subject to the safeguards set out below until the school has had sight of the disclosure certificate. As a matter of best practice, checks will be undertaken as close to the commencement of employment as is practicable after appointment. Copies of DBS certificates will be retained in a secure location for no longer than six months.

If a disclosure is delayed, the Headmaster will, at his discretion, allow a short period of work under the following controlled conditions:

- Without confirming the appointment.
- Provided that the DBS application has been made in advance.
- With appropriate safeguards put in place (for example, loose supervision).
- Safeguards reviewed every two weeks at a short recorded meeting.
- The person in question being informed of the safeguards.
- The checking of the suitability of the member of staff against the barred list/List 99 (as stated above).
- On the basis that a note is added to the single central register and evidence is kept of the measures put in place, along with a record of review meetings.

However, with specific regard to the EYFS, an enhanced disclosure will be obtained for every person over 16 who:

- Works directly with the children.
- Lives on the premises on which the childcare is provided.
- Works on the premises on which the childcare is provided (unless the work is not in the part of the premises where the childcare takes place, or is not at times when the children are present).

Additionally, within EYFS no person whose suitability has not been checked, including through a criminal records check, will have unsupervised contact with the children being cared for. Where a new member of staff starts work before the disclosure is available, the school will ensure that the person is supervised at all times by a co-worker.

Right to Work in the UK

The school will not employ anyone who is subject to immigration control and who is not entitled to undertake work in the UK. Should the school have any doubts as to an applicant’s status, it will consult the booklet entitled ‘Prevention of Illegal Working – Summary Guide for Employers’ and seek clarification from the UK Border Agency if necessary.

In line with the Immigration (Restrictions on Employment) Order 2007, the school will check and retain copies of passports or birth/adoption certificates, belonging to people appointed after 29th February 2008.

Declaration of Medical Fitness

All appointments are subject to a signed declaration of medical fitness and candidates will be asked at the interview stage if they consider themselves to be fit to carry out the duties outlined in the job description. Successful applicants must declare that: (i) they know of no reasons, on the grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the post in question and: (ii) they understand that the offer of employment is subject to verification of medical fitness.

While health related questions will not be asked as part of the interview process, the school may ask necessary health questions after the appointment has been offered that are necessary and relevant to the post applied for. Such questions will not include asking for information about previous sickness absences. Any further medical information required will only be sought with the person's permission.

However, the school acknowledges the contribution that disabled staff can make to the establishment and supports the advice of the DfE: 'Disabled staff make an important contribution to the overall curriculum, both as effective employees and in raising the aspirations of disabled pupils and educating non-disabled people about the reality of disability. Many disabled people will be medically fit to teach, though under the Equality Act 2010 employers may have to make reasonable adjustments to enable disabled people to carry out their duties effectively.'

If, after appointment, a member of staff's medical status changes to an extent where there could be a potential impact on their ability to carry out required duties, they are required to inform the Headmaster who will respect any wishes for confidentiality.

Qualifications

Where an individual claims qualifications as part of an application for a position, these will be checked in advance of appointment. The school recognises that Qualified Teacher Status is not a requirement of teachers in the independent sector, but will check the Employer Online Service, should it wish to check that a new member of staff holds QTS.

Policy on the Recruitment of Ex-Offenders

Background

The school will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. Appointment decisions are made on the basis of merit and ability, subject to the objective assessment criteria set out hereafter. A criminal record will not automatically debar an applicant from working within the school.

However, all positions within the school amount to 'regulated positions' as defined by the Protection of Children Act 1999 (amended by the Criminal Justice and Courts Services Act 2000). As such, all applicants for employment at the school must declare

all previous convictions (including those which would normally be considered 'spent' under the Rehabilitation of Offenders Act 1974).

A failure to disclose a previous conviction may lead to an application being rejected or, should the conviction come to light after employment at the school commenced, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

The school will not employ anyone who is included on lists of individuals who are considered to be unsuitable to work with children, maintained by the DfE, DBS or the Department of Health. In addition, the school will not employ anyone who is the subject of a disqualifying order in relation to convictions or charges for the following offences against children or adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

If the school receives an application from a disqualified person, or is provided with false information in relation to an applicant's suitability to work with children, or when serious concerns become evident through the application process, the matter will be reported to the Police, the DBS and/or the LADOs or MASH team.

Assessment Criteria

In the event that relevant information regarding previous convictions (or other sensitive matters) is volunteered by an applicant or obtained through the necessary checks, the school will consider the following factors in reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question;
- The seriousness of the conviction or the matter revealed;
- The length of time that has elapsed since the conviction or matter revealed;
- Whether the applicant has a pattern of offending behaviour or other relevant matters;
- The circumstances surrounding the offence and the explanation(s) offered by the applicant.

The school will consider an applicant convicted of the following offences to be of an unnecessarily high risk: - murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious Class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves driving responsibilities, it is the school's normal policy to consider it to be high risk to employ anyone who has a drink driving conviction within the last ten years. Should an existing member of staff be convicted of such an offence during their employment at the school, they are required to inform the Headmaster.

Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant or obtained through a disclosure check, the school will carry out a risk assessment with reference to the criteria set out above. This will be signed by the Headmaster and a second senior member of the selection panel, before a position is offered. If an applicant wishes to dispute any information contained in a disclosure, he/she may do so by contacting the DBS directly.

In cases where the applicant would be offered the position, were it not for the disputed information, the school will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Early Years and Later Years (under 8s) Childcare – Disqualification under the Childcare Act 2006 (March 2015)

In having regard to KCSIE the school is aware of how people can be disqualified under the Childcare Act 2006, including by association with others, along with the effect of the Childcare (Disqualification) Act 2009.

The school will not knowingly employ people to work in childcare or allow them to be directly concerned with its management, if they or others who live or work in their households are ‘disqualified’.

Early Years childcare means education, care (excepting health care) and any supervised activity for a child from birth until 1st September following their fifth birthday. It applies to all Early Years provision during and outside school hours, including in school nursery and reception classes.

Later years’ childcare means childcare for children under the age of eight. To the extent that this overlaps with those in the Early Years, that category is dealt with above. For children who are older than ‘Early Years’ but under the age of eight, the normal school day, after school co-curricular educational clubs and health care are not within scope of the regulations. For this age group, therefore, only provision which would be considered ‘childcare’ (rather than education) is within the scope of the regulations. This essentially means crèche-like facilities before and after school and Holiday Club.

These regulations apply to employees, volunteers, supply/agency staff, self-employed people, staff of other organisations contracted to provide childcare and governors who volunteer with the relevant groups or who are directly concerned with their day to day management. Those who are not involved in childcare, such as cleaners and catering staff, are not within the remit of these regulations.

Pre-appointment checks in relation to disqualification by association (Early Years and relevant later years’ provision) may also be needed for relevant staff, leaders and managers as part of having regard to Disqualification under the Childcare Act 2006.

Where people are within the scope of the guidance, the school will either check itself whether they are disqualified from childcare or ensure that others have done so.

The grounds for disqualification include:

- Being on the DBS Children’s Barred List;
- Being cautioned for, convicted of, or charged with certain violent and sexual criminal offences against children and adults, at home or abroad;
- Being the subject of certain orders relating to the care of children;
- Refusal or cancellation of registration relating to childcare or children’s homes or being prohibited from private fostering;

- Living in the same household where another person who is disqualified lives or works.

Disqualification occurs as soon as the above criteria are met, for example, as soon as a caution for conviction occurs, even before the person is formally included on the children's barred list.

By definition, a person who is disqualified cannot lawfully do the work for which they are disqualified. If a person is found to be disqualified, including by association, or if there is doubt over that issue, then pending resolution they will be removed from the work from which they are or may be disqualified. The person may be redeployed with other age groups or in other work from which they are not disqualified, subject to the requirements of the school, an assessments of the risks and taking advice from the LADOs when appropriate.

The school will inform Ofsted and ISI when it is satisfied that a person working in a relevant setting falls within one of the disqualification criteria. Staff who are disqualified, including by association, may apply to Ofsted to waiver a disqualification, unless they are barred from working with children.

The school will carry out an annual disqualification check which all staff will be required to sign and date. A record of this declaration will be retained.

Prohibitions, Directions, Sanctions and Restrictions

While Qualified Teacher Status is not a requirement for teachers in the independent sector, the school will check that anyone employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State. The check is completed using the free Employer Online service and is undertaken on individuals who do not have QTS by searching by name. This applies to those who have been appointed to teach after 1st April 2012.

Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- Planning and preparing lessons and courses for pupils;
- Delivering and preparing lessons to pupils;
- Assessing the development, progress and attainment of pupils;
- Reporting on the development, progress and attainment of pupils.

'Delivering' includes delivering lessons through distance learning or computer aided techniques. However, none of these activities is 'teaching work' if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Headmaster.

Given that Teaching Assistants carry out their work under the direction and supervision of a teacher, the school will decide on a case by case basis whether assistants require prohibition checks. Similar reasoning is applied to sports coaches and similar posts.

Section 128 Directions

From 12th August 2015 the school will check whether staff appointed to management positions after that date are subject to Section 128 Direction. For staff in regulated activity, the check is done via the DBS; a Section 128 Direction would show on a DBS barred list check. The school will include on the DBS application form, within box 61 - Position Applied For - 'Child Workforce Independent School'. This allows the DBS to confirm if a Section 128 Direction has been made.

The following staff are considered to be in management positions for the purpose of this check:

- Headmaster
- All staff on the Senior Leadership Team (including non-teaching staff)
- Teaching positions with departmental headship
- The Chair of the Board of Governors
- Members of the Board of Governors

The school will access the Secure Access Portal via the Teacher Services' webpage as necessary when carrying out checks for prohibitions, sanctions and restrictions.

Personnel Files

In line with guidance provided by The Chartered Institute of Personnel and Development personnel files will be kept for six years after a member of staff has left the school.

Transfer of Employees under TUPE

The school recognises its responsibilities under TUPE (transfer of undertakings (protection of employment) arrangements in terms of the passing on information to a new owner and receiving information in the capacity of being a new owner. In circumstances where the school becomes a new owner, and there is continuous employment, all employee details will be entered on the school's own central register, including the number and date of DBS checks, adding a note to the register that the employee is subject to TUPE arrangements. Where records from the previous owner are incomplete, or where there has been a break in employment for three months or more, the school will undertake all necessary checks including a new DBS check.

In the event that there becomes a new owner taking on school staff in continuous employment under TUPE arrangements, information will be passed to the new owner.

The Appointment of Supply Staff

Any person offered by an employment business to the school will only begin to work at the school after it has received: –

- (i) Written notification from the employment business or supply agency that the required checks have been carried out to the extent relevant to that person: identity, enhanced disclosure, right to work in the UK, barred list/List 99, prohibition, qualifications, overseas checks, disqualification under the Childcare Act 2006.

- (ii) A copy of any enhanced criminal record certificate obtained by an employment business or supply agency before the person is due to begin work at the school, though the school will not retain a copy on file.

The school will only allow a person supplied by an employment business to begin work at the school if it considers that person suitable for the work for which they are supplied.

Before a person offered for supply by an employment agency begins work at the school they will be required to produce photographic proof of identification (irrespective of any such check carried out by the employment business before the person was offered for supply).

The school requires all persons provided by an employment business to have obtained their enhanced criminal record certificate not more than three months before the date on which they are due to begin work at the school, with the exception of those to whom any of the following applies:

- Where the person has worked in a school or a maintained school in England in a position which brought them into regular contact with children or young persons.
- Where the person has worked in a maintained school in England in a position to which they were appointed on or after 12th May 2006 and which did not bring them regularly into contact with children or young persons.
- Where the person has worked in an institution within the further education sector in England in a position which involved the provision of education or which brought them regularly into contact with young children or young persons, during a period which ended not more than three months before they are due to begin work at the school.

The school reserves the right to request original documentation relating to identity, professional status, qualifications, enhanced disclosure (renewed every three years or earlier if there are grounds for concern or a break in service of three months or more), right to work in the UK, barred list/List 99 and overseas checks, references, a declaration of medical fitness and previous employment history. Supply agencies must keep 'disclosures' for at least a year and, where an individual remains with an agency for more than 12 months, a disclosure can be kept for up to three years to facilitate portability arrangements.

The single central register will record evidence that these checks have been carried out and that the school has carried out its own identity check.

The Appointment of Proprietors

The term 'Proprietor' covers members of the Board of Governors at the school. In the case of the appointment of a Chairman of the Board after 5th January 2015, the school will treat the appointment as constituting 'regulated activity' and follow the procedure outlined hereafter to ensure that the Secretary of State makes the appropriate checks in relation to the individual:

- A Barred list/List 99 check
- An enhanced disclosure, countersigned by the Secretary of State will be applied for. This will be obtained by requesting an application form by telephoning the Bureau on 03000 200 190, quoting the DBS registered

Organisation Name: Department for Education and Registered Body Number: 20881800002.

- The Department for Education will be contacted by telephoning 01325 340405 or emailing: registration.enquiries@education.gsi.gov.uk to obtain a Veri-fy form.
- The Veri-fy form, the application for disclosure form and the enhanced disclosure fee (if applicable), will be sent to the following address in the envelope provided: Independent Education and Boarding Team, Department for Education, Bishopsgate House, Feethams, Darlington, DL1 5QE.
- Checks confirming the individual's identity and their right to work in the United Kingdom will be undertaken.
- In the case of an individual for whom, by reason of the individual living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish the individual's suitability to work in a school, such further checks as the Secretary of State considers appropriate will be carried out.
- A section 128 Direction
- The Chairman of the Governors will be required to undertake an annual disqualification check. A record of this declaration will be retained.

All checks will be made in advance of appointment or as soon as practicable after appointment.

For all appointments to the Board of Governors after 5th January 2015, the Chairman of the Board will ensure that the following checks will be made:

- A Barred list/List 99 check if the individual is involved in regulated activity.
- An enhanced criminal record check.
- Checks confirming the individual's identity and right to work in the United Kingdom.
- Where, by reason of the individual living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish an individual's suitability to work in a school, such further checks as the Chairman of the Board considers appropriate, having regard to any guidance issued by the Secretary of State.
- Members of the Board of Governors will be required to undertake an annual disqualification check. A record of this declaration will be retained.
- A section 128 Direction.

Where the Secretary of State makes a request for an enhanced criminal record check relating to an individual countersigned by the Secretary of State to be made, such a check will be undertaken.

All checks will be made in advance of appointment or as soon as practicable after appointment.

All appointments made prior to 5th January 2015 have been made in accordance with the requirements at the time of appointment.

A section 128 direction will disqualify a person from holding or continuing to hold office as a governor.

Appointment of those Falling Outside the Definitions of Staff, Supply Staff and Governors

Several categories of people fall outside the main regulations concerning appointment but may still need checks as part of having regard to KCSIE. The main groups are described below.

Staff not in Regulated Activity

Staff not involved in regulated activity are still covered by the regulations and KCSIE 2015. Staff who are not in regulated activity do not require barred list checks. Other checks will still be undertaken as required and KCSIE 2015 requires full use of applicable vetting checks including enhanced criminal records checks (without barred list information) if indicated by a risk assessment for new appointments.

Visiting Speakers

In accordance with the requirement of the Prevent statutory guidance for schools to have clear protocols in regard to visiting speakers, all such individuals or groups must first be approved by the Headmaster. The Headmaster is responsible for carrying out any checks which may include seeking references or carrying out an internet search. Where checks are carried out, an entry will be made on the SCR. All visiting speakers will be supervised by members of the school staff.

Volunteers

The arrangements for volunteers vary by individual and activity. In the first instance, the school will assess whether the individual will be involved in regulated activity.

While volunteers are supervised, they do not fall within the definition of regulated activity and as such barred list checks would not be available or required. This is the case regardless of how frequently or regularly an individual volunteers. The exception would be a volunteer carrying out personal care which is always regulated activity.

An unsupervised volunteer, whose presence is frequent and regular, is in regulated activity, and the school will obtain an enhanced DBS certificate with barred information.

The term ‘supervised’ is explained in Annex D to KCSIE and can be summed up as follows:

- There must be a supervision by a person who is in regulated activity (e.g. a teacher or a teaching assistant);
- The supervision must be regular and day to day;
- The supervision must be ‘reasonable in all the circumstances to ensure the protection of children’ (taking into account the age of the children, the number of children, whether or not other workers are helping to look after the children, the nature of the work, how vulnerable the children are, and the levels of supervision).

Even when a volunteer is not in regulated activity, they may still require other checks which come from having regard to DfE guidance, in particular KCSIE. The decision

regarding additional, discretionary checks will be based on risk assessment in relation to the person, the work, the vulnerability of the children and the situation. These may include references, an informal interview, and checking with members of the school community for any concerns. Details of the risk assessment will be recorded.

Should any member of the existing school community raise any concerns in relation to a volunteer becoming involved, the school will not make an offer of a voluntary position.

‘One – off’ volunteers, such as those assisting with outings or school concerts are not required to undergo vetting checks, but will not be unsupervised and must not undertake any type of personal care.

Employees of Third Parties (Visiting Professionals)

The school will reasonably assume that all visiting professionals will have been appropriately vetted by their employing organisation. These include: psychologists, nurses, dentists, other public sector staff, sports referees, specialist coaches and equivalent professionals supplied by a central body, as well as student teachers.

It is not necessary for the school to see the disclosure as appropriate checks should have been carried out and confirmed in writing to the school by the organisation. However, the school will check identity when an individual arrives to ensure that imposters do not gain access to the children. The written confirmation and a copy of the ID will be retained on the Visiting Professionals file which is kept in a secure location.

Contractors

Employees of Contractors

Employees of contractors who are working at the school on a long term basis (caterers, cleaners, et al) will be subject to the same checks as school staff with written confirmation supplied by the employing organisation. The school will check identity upon arrival.

Where employees of contractors such as builders have access to areas where unsupervised contact with pupils is possible, the school will ensure that its contract with the company provides for the required DBS checks on staff to be completed by the contractor. Before a new individual starts work, the school will insist on confirmation from the company that the required checks have been undertaken and will check photographic identity on arrival at the school. The school will keep records of the confirmation from the contractor on the Contractors file which is kept in a secure location. However, staff of contractors will not be entered on the single central register of appointments.

Self-Employed Contractors

Self- employed contractors should generally be checked by their professional associations as it is not possible for them to check themselves. If the self-employed person subscribes to the DBS update service, the school will check identity, view the original certificate and check online for updated information.

Occasional/Temporary Contractors

The Protection of Freedoms Act 2012 carved out an exception to the definition of regulated activity for occasional and temporary contractors who are not involved in teaching/training, etc. or personal care. The exception is intended to enable schools to employ emergency workmen but can also be used for professional musicians at Christmas, for example.

The school will make a judgement on whether or not contractors are occasional or temporary and therefore whether or not they are in regulated activity. Should the school decide that the workers are not involved in regulated activity, they will not be eligible for a barred list check. However, if the work gives an occasional or temporary worker the opportunity for regular contact with children, KCSIE 2015 stipulates that an enhanced DBS check without barred list information will be required. Where workers are not frequent or regular, the school will risk assess whether a DBS check is necessary and proceed accordingly.

If it is not possible to find workers at short notice who have already been checked, the discretion permitted in relation to occasional or temporary contractors will be exercised in good faith. This will entail the issue being considered at the time of the work and the school will retain a note of the basis of a decision not to carry out checks.

Supervision of Contractors

Contractors making emergency repairs who have not as a result been checked, will be supervised at an appropriate level depending upon circumstances. The supervision will be undertaken by a qualified person.

Retention and Security of Disclosure Information

The school will follow the guidance issued or supported by the provisions of the DBS Code of Practice on the use of disclosure information.

In particular, the school will:

- Store disclosure information and other confidential documents issued by the DBS in a locked, non-portable storage container, access to which will be restricted to members of the Senior Management Team;
- Not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, the school will not retain such information for longer than six months, although the school will keep a record of the date of the disclosure, the name of the subject, the type of disclosure, the position applied for and the unique number issued by the DBS.
- Ensure that any disclosure information is destroyed by suitably secure means such as shredding;
- Prohibit the photocopying or scanning of disclosure information.

Non- Proprietor Governors/Advisors

The school has no association with a committee of 'local' governors or advisors.

Adults who Supervise Children on Work Experience

All children under the age of 16 who undertake work experience at the school will be supervised by an appropriately experienced and checked employee.

Third parties and contractors will not be permitted to use the services of an individual under the age of 16 on work experience on the school site.

Host Families

While the use of a host family is extremely unlikely, it is possible. When the arrangements are made directly between two families which accept responsibility, this will be considered to be a personal arrangement and outside the scope of regulated activity. However, where the family is paid, the arrangement to accommodate a child is not made by the child's family, or the school has the power to terminate the arrangement, it is unlikely to be a personal arrangement and could constitute regulated activity. In such circumstances, the school will carry out an assessment of the suitability of the adults in those families who will be responsible for the visiting child during the stay. It will exercise its professional judgement in deciding what is considered to be relevant and a DBS check, including a barred list check, will be obtained and suitable records kept.

While the school does not currently undertake exchange visits overseas, should it do so it would work with partner schools to ensure that appropriate assurances are obtained before a visit.

Under all circumstances the school will take reasonable steps to safeguard young people participating by, for example, ensuring that they are seen every day by a member of staff while away from home and having access to a mobile phone and signal.

Those who do not Require Vetting Checks

In accordance with legislation, the school will not carry out vetting checks on: visitors to the Headmaster/other staff or those who only have brief contact with children in the presence of a teacher (although guidance on visiting speakers will be followed); visitors carrying out repairs or servicing equipment; pupils aged under 16 on work experience or similar; those on the school site when pupils are not present; and students (pupils) aged 18 or over studying as pupils. Individuals returning from maternity leave, sabbaticals or similar, where continuity of employment is maintained will not be checked as new employees but the school may choose to renew checks. Similarly, staff with 'zero-hours' contracts that have continuity of service between periods of work will not be rechecked on each occasion.

The Appointment of all Staff

- All candidates attending interviews receive an expenses claim form on request.
- The school reserves the right to request members of staff to apply for an updated disclosure at any point during their employment.
- The school will respond to requests from the DBS or the police for information held on individual members of staff.

- A single central register of all recruitment and vetting checks having been carried out is kept for all members of staff. The register does not include information of a sensitive nature.
- If an applicant is appointed, the school will retain any relevant information provided on their application form (together with evidence of identity, qualifications, etc.) on their personal file. In line with the Chartered Institute of Personnel and Development Guidance, personnel files will be retained for six years after a member of staff has left the employment of the school.
- Where an application is unsuccessful, all documentation relating to the application will be retained for two years before being confidentially destroyed, unless the applicant has specifically requested that the school keeps their details on file.

Dismissal on the Grounds of Misconduct

The school will report the dismissal of any member of staff or volunteer following a substantiated allegation to the DfE, the DBS and the police. The DBS will also be notified of anyone whose services are no longer used by the school because they are considered to be unsuitable to work with children. This will be done within one month of the person leaving the school.

Monitoring of the Policy

This policy and its associated procedures are evaluated and reviewed either after an appointment or in light of changes in legislation.

This policy should be read in conjunction with the Equal Opportunities Policy, the Policy of Promotion of Racial Equality, The Pay Policy and the Disability Discrimination Policy.

Appendix C - Staff Relationships with Pupils – Code of Conduct

Members of staff should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, taking care as to how their conduct may be interpreted. Demeanour and language require care and thought. The guidance laid out hereafter is designed to ensure that the behaviour of members of staff does not place pupils or staff at risk of harm or of allegations of harm to a pupil.

Situations where risk of possible concerns are raised:

Provision of physical comfort to pupils - Staff should use their discretion when a distressed child needs comfort and reassurance that may include physical comfort. Avoid providing such comfort when alone with a child. There is always someone around.

Toileting – Should a child require escorting to the toilet, the member of staff should stand at the door and not enter the cubicle unless it is absolutely necessary to do so. In the event that a child has an ‘accident’, or when changing nappies, staff should inform colleagues of the situation before a child’s needs are attended to.

Changing arrangements - Supervision within the changing rooms should be undertaken by two members of staff. When this is not possible (such as after a club), members of staff should ensure that they are not left alone with an individual pupil. This may require the group to remain in the changing rooms until everyone is ready to leave.

The use of necessary restraint - please refer to the ‘Policy on Pupil Restraint’.

Sports and other subjects involving demonstration which requires touching - Physical contact should be restricted to what is appropriate to the activity (P.E., games, drama etc.) and should be as visible as possible to others.

Administration of medicine and first aid - Avoid accidental/unnecessary physical contact. Innocent intentions may be misinterpreted, causing distress.

Private interviews with pupils - These should take place in an appropriate room with a glass panelled door. When this is not possible, the door should be left open.

Individual or small group lessons - These should take place in an appropriate room with a glass panelled door. When this is not possible, the door should be left open.

Transporting individual pupils - Under no circumstances should a pupil be transported alone by a member of staff. For further information please refer to the ‘Off Site Activities and Educational Visits Policy’.

Out of school activities – Staff should take particular care when supervising pupils on residential trips. For further guidance, please refer to the ‘Off Site Activities and Educational Visits Policy’.

Any apparently sexualised behaviour exhibited by younger children should be discouraged in a sensitive, low-key but non-reinforcing manner, tone of voice, facial expression and physical distance.

Staff should not become ‘friends’ with pupils on social networking sites. Under no circumstances should staff engage in inappropriate electronic communication with a pupil.

The Child Protection Safeguarding Policy places a responsibility on all members of staff to contribute to a culture which places child safety and welfare at its heart. Should concerns exist in relation to any adult working at the school, the whistleblowing procedures laid out in the main body of the policy should be followed without exception. The school will handle all concerns in accordance with the Child Protection Safeguarding Policy.

Appendix D –Definitions and Indicators of Vulnerability to Radicalisation

1. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism

2. Extremism is defined by the Government in the Prevent Strategy as:

Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of the members of our armed forces, whether in this country or overseas

3. Extremism is defined by the Crown Prosecution Service as:

The demonstration of unacceptable behaviour by using any means or medium to express views which:

- Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;
- Seek to provoke others to terrorist acts;
- Encourage other serious criminal activity or seek to provoke others to serious criminal acts;
- Foster hatred which might lead to community violence in the UK

4. There is no such thing as a “typical extremist”: those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.

5. Pupils may become susceptible to radicalisation through a range of social, personal and environmental factors – it is known that violent extremists exploit vulnerabilities in individuals to drive a wedge between them and their families and communities. It is vital that school staff are able to recognise those vulnerabilities

6. Indicators of vulnerability include:

- Identity Crisis – the student/pupil is distanced from their cultural/religious heritage and experiences discomfort about their place in society;
- Personal Crisis – the student/pupil may be experiencing family tensions; a sense of isolation; and low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging;
- Personal Circumstances – migration; local community tensions; and events affecting the student/pupil’s country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;
- Unmet Aspirations – the student/pupil may have perceptions of injustice; a feeling of failure; rejection of civic life;
- Experiences of Criminality – which may include involvement with criminal groups, imprisonment, and poor resettlement/reintegration;

- Special Educational Need – students/pupils may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

7. However, this list is not exhaustive, nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.

8. More critical risk factors could include:

- Being in contact with extremist recruiters;
- Accessing violent extremist websites, especially those with a social networking element;
- Possessing or accessing violent extremist literature;
- Using extremist narratives and a global ideology to explain personal disadvantage;
- Justifying the use of violence to solve societal issues;
- Joining or seeking to join extremist organisations;
- Significant changes to appearance and/or behaviour;
- Experiencing a high level of social isolation resulting in issues of identify crisis and/or personal crisis.

Appendix E

Contains the following forms:

Form 1: Logging a Concern About a Child's Safety and Welfare – Staff/Visitors

Form 2: Front Sheet: Child Protection Record

Form 3: Checklist for handling and recording allegations or complaints made against a member of staff or volunteer

Please photocopy the forms and use as required

FORM 1
(For use by all staff at West House School)

Logging a Concern about a Child's Safety and Welfare

Pupil's Name: d.o.b	
Date:	Time:
Your Name: Signature
Print	
Position:	
Note the reason(s) for recording the incident:	
Record the following factually:	Who?
	What?
	Where?
	When?
Additional Information	
Note action taken, including names of anyone to whom your information was passed.	

Check to make sure your report is clear now – and will also be clear to a stranger reading it next year.

PLEASE PASS THIS FORM TO YOUR DESIGNATED PERSON FOR CHILD PROTECTION. DO NOT PRECIPITATE FURTHER ACTION YOURSELF.

FORM 2
(For use by DSL and Headmaster)

FRONT SHEET: CHILD PROTECTION RECORD

Date file started.....

Name of child.....

Any other names by which child known, if relevant

.....

Date of birth.....

Address.....

.....

..... Postcode.....

Other family members (include full name, relationship e.g. mother, stepfather etc. For U18's, include age, if known).

Are any other child protection files held in school relating to this child or another child closely connected to him/her?

YES/NO

If yes, which files are relevant?.....

.....

Name and contact number of key worker (Social Care), if known

.....

Name and contact number of GP, if known

.....

FORM 3 – Investigating An Allegation of Child Abuse
(For use by DSL and Headmaster)

Checklist for handling and recording allegations or complaints made against a member of staff or volunteer.

1. Name and position of member of staff who is subject of allegation/complaint:
.....
2. Is the complaint written or verbal?.....
3. Complaint made by:..... Relationship to child:.....
4. Name of child:..... Age and d.o.b.....
5. Parents'/Carers' name and address:.....
.....
.....
6. Date of alleged incident/s:.....
7. Did the child attend on this/these dates?.....
8. Nature of the complaint (continue on a separate sheet if necessary):.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
9. Other relevant information:.....
.....
.....
.....
10. LADOs/Early Years Childcare Team contacted:..... Date:.....

11. Further actions advised by Children’s Services.....

.....
.....
.....
.....

Checklist

Yes No

- Do you have details (either a written account or notes from a verbal account) of the alleged incident, signed and dated?
- Have you checked the incident could actually have taken place (i.e. was the child in the lesson; was the member of staff teaching the lesson that day)?
- Is there evidence of significant harm – e.g. a visible injury?
- Has a criminal offence taken place – e.g. has excessive force been used, that could be classed as an assault?
- Has the incident been reported to anyone else – e.g. the Police?
- Were there any witnesses to the incident – if so have you made a note of names?
- Are parents aware of the allegation?
- Is the member of staff aware of the allegation?
- Have you reported the allegation to the LADOs (0121 675 1669) or the Early Years and Childcare Team (0121 464 5897)?

Remember, do not attempt to investigate the allegation yourself without first seeking advice the LADOs

Your name and position:

Signature:..... Date:.....