



CHILD PROTECTION & SAFEGUARDING POLICY

Policy Number	021
Date of Issue/Reviewed	July 2018
Date of next Review	July 2019

Section 1

Child Protection Policy

CONTEXT

Schools and their staff form part of the wider safeguarding system for children. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child.

(Keeping Children Safe in Education – DfE, 2018)

Basildon Academies' Trust staff are uniquely placed to have a positive role in child protection. As responsible adults outside student's homes, they are in a position to observe children on a daily basis and therefore to spot physical or emotional signs that might indicate they are being abused.

Close interaction can also makes staff vulnerable to allegations being made against them. Such allegations may be unfounded and be either deliberate or innocent of such intent. Regrettably, on occasions, staff do commit acts of abuse or ill-treatment. However, whatever the basis of the allegations, once made, there can follow a period of great difficulty and stress for the young person concerned, the staff member and for those 'managing' the situation, including heads of establishments and their senior staff and governors.

While such trauma cannot always be avoided, a number of measures can be taken to mitigate the effect on those concerned. These include:

- Establishing clear child protection procedures;
- Ensuring all staff are aware of and receive regular training on all aspects of child protection;
- Following procedures when issues arise, including working cooperatively with other agencies;
- Avoiding over-hasty or ill-judged decisions, including suspension of a member of staff, before relevant information is known.

These guidance notes have been produced to assist Basildon Academies' Trust staff in dealing with the personnel-related aspects of allegations made by students and students against members of staff.

These notes of guidance do not replace the Government Child Protection Guidelines (the SET Child Protection Procedures) in any way but, rather, are intended to supplement them in relation to the purely personnel-related aspects of dealing with the situation. The Children Act 1989 states that the interests of the child are paramount and adherence to the SET Child Protection Procedures will ensure this.

Remember, above all, not to take any unilateral action, however well-intentioned, following an allegation, in case the SET Child Protection Procedures or a potential criminal case is jeopardised.

Our Academy works in accordance with the following legislation and guidance (this is not an exhaustive list)

- Keeping children safe in education 2018
- Working together (HMG 2018)
- The Education (No 2) Act 1986
- The Education act (2002)
- Effective Support for Children and Families in Essex
- The Children Act 1989
- The Children Act 2002
- Standards & Framework Act 1998
- Counter Terrorism & Security Act 2015
- Preventing and Tackling Bullying
- Joint NEOST (National Employers Organisation for School Teachers) /Teacher Union advice on Education Staff and Child Protection: Staff facing an allegation of abuse. September 2002 (replacing CLEA (Council of Local Education Authorities) guidance)
- DfE (Department for Education) Circular 10/95 (and subsequent amendment 2002/03) – Protecting Children from Abuse : The Role of the Education Service
- Working Together to Safeguard Children. (DfE, 2015)
- Keeping Children Safe in Education (DfE, 2016)
- Information Sharing (DfE, 2015)
- What to do if you're worried a child is being abused (DfE, 2015)
- Education Act 2002, Section 175 (governing body responsibility to ensure the functions of the Basildon Academies' Trust are exercised with a view to safeguarding and promoting welfare of children)
- HSE.gov.uk: for advice regarding work experience placements.
- Counter-Terrorism & Security Act, 2015.
- Basildon Academies policies in relation to Anti-Bullying, Behaviour & Attitude to Learning, Social Media, etc

KEY CONTACTS WITHIN THE ACADEMY

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NOMINATED GOVERNOR FOR CHILD PROTECTION

NAME: Mr L Livermore

KEY CONTACTS WITHIN THE LOCAL AUTHORITY

The **ESSEX SAFEGUARDING CHILDREN BOARD** is able to provide advice and consultancy. Up to date contact numbers are available on their website

ROLES AND RESPONSIBILITIES

Designated Safeguarding Lead

A senior member of the teaching staff should be nominated to have specific responsibility within the Basildon Academies' Trust for child protection matters and for liaising with social services and other agencies over suspected child abuse. It may be appropriate for another senior teacher to be named as deputy designated person. The Designated Safeguarding Lead will also provide support for individual children. If staff members have concerns about a child, they should refer these to the safeguarding leads.

Confidentiality is an issue which needs to be discussed and fully understood by all those working with children, particularly in the context of child protection. A member of staff must never guarantee confidentiality to a student and will not agree with a student to keep a secret as, where there is a child protection concern, this must be reported to the designated safeguarding lead and may require further investigation by appropriate authorities.

All staff members are informed of relevant information in respect of individual cases regarding child protection on a 'need to know basis' only. Any information shared with a member of staff in this way is held treated confidentially.

Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Whilst the Data Protection Act 1998 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or vulnerable adult being placed at risk of harm. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing where there are real safeguarding concerns. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect.

Well-kept records are essential to good child protection practice. Our school is clear about the need to record any concern held about a child or children within our school, the status of such records and when these records should be shared with other agencies.

Any records related to child protection are kept in an individual child protection file for that child (which is separate to the student file) in chronological order. All child protection records are stored securely and confidentially and will be retained for 25 years after the student's date of birth, or until they transfer to another school / educational setting.

Where a student transfers from our school to another school / educational setting, their child protection records will be forwarded to the new educational setting. These will be marked 'Confidential' and for the attention of the receiving school's designated safeguarding lead, with a return address on the envelope so it can be returned to us if it goes astray. We will obtain evidence that the paperwork has been received by the new school and then destroy any copies held in our school.

Where a student joins our school, we will request child protection records from the previous educational establishment (if none are received).

Nominated Governor

A governor should be nominated to liaise with the Headteacher/Designated Safeguarding Lead over matters regarding child protection issues to:

- ensure that an annual item is placed on governors' agenda to report on changes to policy/procedures, training, incidents/cases (without details or names) and the position of child protection issues in the curriculum.
- have an overview of procedures relating to liaison between the Basildon Academies' Trust and other agencies in relation to any allegations. (The nominated governor should not be directly involved in the implementation of disciplinary procedures related to allegations against the Headteacher, but will normally attend the strategy meeting in such cases and will ensure good communication between parties and provide procedural information to assist such investigations).

The nominated governor should normally be the Chair of Governors and he/she should attend relevant training.

Other governors

Where allegations are made against the Headteacher, a governor (other than the Nominated Governor) will be assigned to implement the appropriate procedures. Members of the Basildon Academies' Trust's Staffing and Staffing Appeals Committee should distance themselves from any investigation or detail related to allegations against members of staff to ensure that they are untainted when it comes to hearing cases that may be brought before them.

Local Authority Designated Officer

The Designated LEA officer (LADO) will be responsible for co-ordinating Education Service policy and action on child protection matters relating to maintained Basildon Academies' Trusts. Specifically, the LADO will:

- be involved in establishing local procedures;
- be the point of contact for all agencies;
- liaise with Basildon Academies' Trusts on child protection matters and make referrals where allegations are made against members of staff;
- take the lead in all allegations made against education staff;
- maintain records.

Headteacher and other leaders

The Headteacher is responsible for creating a safe environment and for making sure all staff are aware of child protection procedures. The Headteacher will be responsible for implementing child protection/disciplinary procedures where allegations are made against members of staff other than the Headteacher.

All staff

It is the duty of all staff to be familiar, and comply, with all relevant child protection policies and procedures. Staff must keep relevant, factual and timely records of any concerns they have raised. These must be shared in a secure fashion with the Designated Safeguarding Leads. It is the responsibility of all staff to provide a safe environment where children can learn.

Any member of staff receiving a disclosure of abuse or noticing signs or indicators of abuse, will make an accurate record as soon as possible noting what was said or seen (if appropriate, using a body map to record), giving the date, time and location. All records will be dated and signed and will include the action taken. This is then presented to the designated safeguarding lead (or deputy), who will decide on appropriate action and record this accordingly.

PRE-EMPLOYMENT SCREENING

Although it affords no guarantees that child protection issues will not arise, Basildon Academies' Trusts and other education establishments should ensure that appropriate pre-employment checks are carried out on all relevant staff including voluntary helpers and governors. These procedures, based upon the requirements of the Protection of Children Act 1999 and the Education (Restriction of Employment) Regulations 2000 include screening potential employees through the Disclosure and Barring Service and undertaking pre-employment medical screening. Under the Protection of Children Act 1999, it is illegal to offer employment that involves regular contact with young people under the age of 18 to anyone who has been convicted of certain specific offences and/or is included on lists of people considered unsuitable for such work, held by the DfE and the DoH. Employers should also ensure that references are taken up from an applicant's last/current employer; any gaps in an employment history should be fully explored and qualifications checked. The HR Basildon Academies' Trusts Team can offer further advice on these procedures.

TRAINING FOR STAFF AND DESIGNATED PERSONS

It is essential that all staff receive regular training on child protection issues and steps should be taken to ensure that all new staff are also trained. In addition to protecting children, the training also enables staff to be more aware of their own vulnerabilities and to take steps to minimise these. All staff should be aware of the signs of abuse and neglect so they are able to identify children who may be in need of help or protection – staff members should maintain an attitude of 'it could happen here'. Designated Safeguarding Leads should have updated child protection training every two years.

All staff should receive a copy of Keeping Children Safe in Education Part One:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550499/Keeping_children_safe_in_education_Part_1.pdf

ACTIONS WHERE THERE ARE CONCERNS ABOUT A CHILD

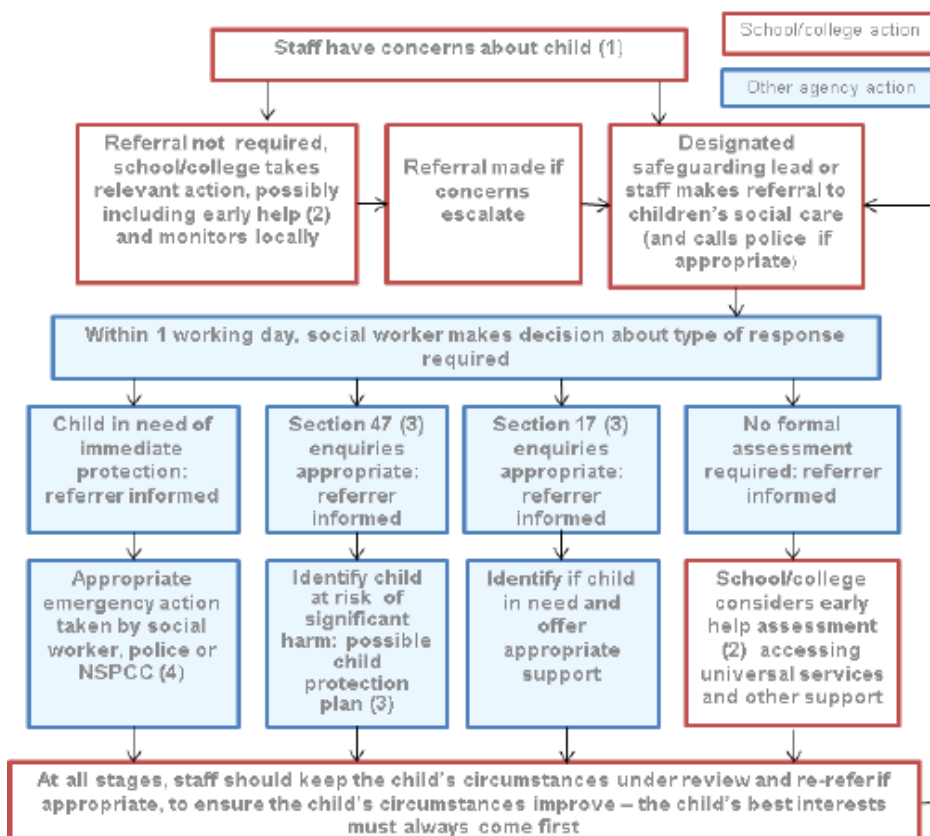
Abuses are generally categorised into four types; Physical, Emotional, Sexual and Neglect. Staff should be able to identify and report concerns regarding abuses to the relevant Designated Safeguarding Lead.

All staff should take steps to safeguard themselves when presented with evidence of safeguarding issues, including evidence that may be accessible electronically or online. All concerns should be sent in a timely fashion, in writing, to the Designated Safeguarding Leads.

All staff should have an awareness of safeguarding issues. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.

All staff should be aware safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), gender based violence/sexual assaults and sexting. Staff should refer to the Academy's Anti-Bullying Policy to support them if they are investigating alleged peer on peer abuse.

Actions where there are concerns about a child



WHISTLEBLOWING PROCEDURES & DEALING WITH ALLEGATIONS OF ABUSE AGAINST STAFF

1. INTRODUCTION

1.1 The following procedures apply where allegations concern members of staff employed directly by the Basildon Academies' Trust. [See Section 4.2]

1.2 Heads of establishment should always inform the LADO of any child protection related issues involving members of staff.

1.3 Contemporaneous notes should be made at every stage of the process and retained indefinitely. Any such notes are evidential and should be signed, with date and time. The original hand written notes should also be retained.

1.4 Throughout this guidance, where an allegation is made against the Headteacher (or equivalent), a governor must be deputed to take the role assigned to the head of establishment. The deputed governor should not normally be the nominated governor for child protection (nor the Chair of Governors where he/she is not the nominated governors).

2. COMPLAINTS AND ALLEGATIONS

2.1 Concerns about the behaviour of a member of staff towards a student may be made in the form of a complaint or an allegation. These terms are often used interchangeably and it is important, therefore, to consider the details of the alleged incident and not to the label attached to it. Any complaint with a child protection element should be responded to as a child protection allegation in the first instance.

2.2 Allegations may come from various sources

- from parents in person, by telephone or by letter;
- from other members of staff, other professional or other agencies e.g. Police/Social Services;
- directly from students themselves;
- indirectly from students e.g. through written/art work or through friends; and,
- occasionally anonymously.

2.3 Allegations may also be made at any time from immediately after an incident has taken place to weeks months or even years after the event. It may therefore be necessary to take a slightly different approach, depending on the circumstances.

2.4 In all cases, however, it is essential that allegations are taken seriously and acted upon as a matter of priority and in accordance with procedures. Social Services and/or the Police will investigate all allegations against parents or other family members, and the same standards apply to allegations against staff, however difficult this may be.

2.5 There may be some occasions where there is a suspicion about the conduct of a member of staff, but no allegation. The approach in these situations is dependent to a certain degree upon the nature of the suspicions. Where, for example, the situations arise from the conduct/behaviour of the employee, it may be appropriate to

increase monitoring or supervision in order to assess the situation. However, in other cases, where the allegation is reported, the SET Child Protection Procedures should be implemented promptly.

3. ESTABLISHING INITIAL FACTS

3.1 When an allegation of inappropriate behaviour is received by the Basildon Academies' Trust, it is essential that heads of establishments and other managers and advisers do not begin a full investigation. This would breach Child Protection Procedures and may impede a criminal investigation.

Basildon Academies' Trust staff should contact the LADO without delay, who will support managers with managing the process. This means that interviews should not be conducted with students, members of staff or potential witnesses at this stage. However, it is obviously necessary to establish the basic facts.

3.2 As soon as an allegation is made, details should be written, signed and dated by the person who received the allegation (not the child who made and/ or was the subject of the allegation). The allegation should be reported immediately to, and the written record countersigned by, the Headteacher (or the designated teacher/nominated governors where the Headteacher is the subject of the allegation).

3.3 Heads of establishments should undertake, or cause to be undertaken, some brief preliminary enquiries to try to establish whether something has occurred.

In undertaking these enquiries the LADO should be consulted and the following guidelines should be followed. [See also Appendix B].

- Where there are adult witnesses, these should be the primary source of information at this stage, ie avoid talking to children where possible.
- Where the child has made a direct complaint e.g. to a member of staff, there should be no further need to talk to him/her at this stage
- Gathering information from other children at this stage should not normally be necessary.
- The member of staff will normally need to be spoken to and advised as soon as possible of the likely course of action. However, where the allegation is of a serious nature, the LADO liaises with Social Services/the police about what information can be given to the employee (see 3.6). Employees should be encouraged to speak to their Trade Union/Professional Association. Non-union members may wish to contact the Citizens Advice Bureau or seek expert legal advice.
- Talk to as few people as is absolutely necessary to gather a general idea of what may/may not have happened.
- In all cases, only brief open questions should be asked about what happened, taking into account the source of the complaint.
- Statements must not be taken, although notes should be made by the manager. These should include what was said by the manager and who was present. Such notes are evidential and should be signed and dated.
- Limit the information provided about the allegations to involved parties.
- Parents will normally need to be informed, at an early stage that an allegation has been made and the likely course of action. It is important to explain to parents if a referral is to made, that this is in accordance with Child Protection Procedures and does not indicate that any impropriety has been found.

3.4 Where the allegation is initially made to Social Services and/or the Police, these agencies will determine the preliminary steps to be followed.

3.5 A difficult judgement may need to be made about what enquiries to make at this stage and, advice should be sought from the LADO in the first instance.

3.6 In cases where Social Services/the Police subsequently wish to investigate, Basildon Academies' Trust staff may be asked not to disclose information about the allegations to the member of staff, so that any subsequent proceedings are not prejudiced. As well as breaching the child protection legislation, if the employer discloses too much information or asks too many detailed questions, there are vulnerabilities in employment law and ultimately, the employer could be liable to prosecution for obstructing justice. The LADO will discuss with the Basildon Academies' Trust, what information can be disclosed. [Refer to Appendix D] Appendix B gives some examples of procedures for conducting preliminary enquiries and particularly in dealing with students in this respect.

4. INITIAL DETERMINATIONS

4.1 Managers and their advisers should be cautious at this stage about making judgements about the allegations and particularly about forming their own view about what a child has said. However, preliminary enquiries should enable the head of establishment to:

- establish the basic facts;
- determine whether the allegations require further investigation by the relevant agencies and therefore the subsequent steps within the child protection procedures as described in subsequent sections. It is important to recognise that establishing whether an allegation warrants further investigation is not the same thing as deciding that an allegation is well founded. Only if an allegation is trivial or demonstrably false will further investigation NOT be warranted.

4.2 Where the allegation is against a member of staff not employed directly by the Basildon Academies' Trust, the employing agency should be contacted (the LEA for supply staff on the LEA List, behaviour support, music, travellers etc or the employment agency) as soon as possible. The LADO should be contacted in all cases. Ideally, in these circumstances, the LEA/agency will work jointly with the Basildon Academies' Trust to work through the child protection procedures. In the case of agency staff, the Basildon Academies' Trust may request that the agency no longer sends the teacher to the Basildon Academies' Trust, although it is anticipated that child protection procedures would be followed through.

4.3 The LADO should be consulted about the appropriate next steps.

In general, the preliminary findings and resultant actions will be as follows.

5. NEXT STEPS

5.1 If the allegation is considered to be a potential criminal act, or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the LADO will make an immediate referral without delay to Social Services in accordance with SET Child Protection Procedures.

The Basildon Academies' Trust should liaise with the Lead Officer in this regard. The referral process is outlined in more detail in Section 6.

5.1.1 Where there is a concern that a serious incident has taken place, a decision may need to be made at this stage about whether the member of staff should remain in the Academies during the investigation period [See Section 8]. If insufficient information is available, a decision on this issue may be deferred.

5.2 There will be other instances however, where allegations do not require referral. (Again, advice should be sought from the LADO).

5.2.1 Where the allegation relates to the use of reasonable force to restrain a student, in accordance with S 550A of the Education Act 1996 and DfE.

Circular 10/98. An allegation of assault beyond the use of reasonable force would however need to be dealt with according to Area Child Protection Procedures as described in subsequent sections.

5.2.2 Where, following initial consideration, it is absolutely clear that the allegation is demonstrably false e.g. the immediate circumstances of the allegation show that it would not be possible for the allegation to be true. However, in these circumstances it should be borne in mind that if a child has made an obviously false allegation, this may well be a strong indicator of abuse elsewhere which requires further investigation. The best way for this to be achieved is through an interagency referral in order that any underlying causes can be teased out.

5.2.3 Where the allegation represents inappropriate or poor practice by the member of staff. Clearly, caution must be exercised and the risk related to the poor practice will determine appropriate action.

In all 3 of the above cases, the matter may be dealt with at Basildon Academies' Trust level, using the disciplinary procedures where appropriate. [See Section 9].

NB where previous allegations have been made extreme caution should be exercised. This may indicate an ongoing concern about the child or member of staff that needs to be addressed.

6. REFERRAL TO SOCIAL SERVICES, CHILD PROTECTION TEAM

6.1 Where the child(ren) has suffered or is/are at risk of significant harm and/or in need of protection no further enquiries should be undertaken by the Basildon Academies' Trust and the LADO will make an immediate referral to:

- Social Service, who act as the 'lead agency' in such matters.

Referrals should be by telephone and confirmed in writing within 24 hours.

The Basildon Academies' Trusts should also report the matter to;

- the nominated governor for child protection;
- the designated teacher for child protection.

The LADO will liaise with other LEA services i.e. HR Team.

6.2 Details of the date, time and details of the referral should be recorded, as should all subsequent related telephone calls.

6.3 On some occasions, reports may be made directly to Social Services or the Police by parents. The parent may also inform the Basildon Academies' Trust, in which case the Basildon Academies' Trust should contact the LADO prior to making even the preliminary enquiries described above

7. SOCIAL SERVICE/POLICE ROLE

7.1 Once a referral has been made, it is Social Services who will make an initial judgement as to the seriousness of the allegations, and whether further formal action is required within, or resulting from, the provisions of the Children Act 1989. Social Services will also make contact with the Police as necessary.

7.2 On some occasions, Social Services will be able to make an instant decision, at the time the referral is made, whether the matter is one with which they need to be involved.

7.3 It is important to remember, that if Social Services decide that no action will be taken by them, this does not necessarily negate the need for the Basildon Academies' Trust to undertake an investigation under its own disciplinary procedures [See Section 9].

7.4 In many cases however, within a short period of the referral being made, Social Services will call a Strategy Meeting as follows.

7.5 A Strategy Meeting is a meeting of various agencies who have a role within the child protection procedures. The meeting will be organised and chaired by the Social Services Child Protection Team and is designed to share information, to plan the investigation, to determine future involvement by other agencies and to plan that involvement as appropriate. Further details on the structure of the meeting are outlined at Appendix C.

7.6 In addition to Social Services, the Strategy Meeting will normally be attended by:

- a member of the Police Child Protection Unit;
- the LADO
- the head of establishment;*
- a personnel adviser**

* A governor (usually the chairman of governors) should attend instead, if the allegation relates to the head of establishment. The designated member of staff (where this is not the Headteacher) or other senior member of staff may also be invited if appropriate.

** The HR Team will often be invited by Social Services directly. HR will usually contact the Basildon Academies' Trust prior to the meeting and in the case of Foundation and Voluntary Aided Basildon Academies' Trusts will normally only attend with the agreement of the head of establishment/governor.

7.7 Attendance at Strategy Meetings should be regarded as a priority.

7.8 At the meeting the Basildon Academies' Trust representative should have available:

- details of the child(ren) concerned (dates of birth, family details, information on general conduct/behaviour in Basildon Academies' Trust);
- details of the member of staff (date of birth, home address, details of any previous incidents, confirmation of police check);
- any information gathered from preliminary enquiries;

- details of employee's own family if known.

Either the Basildon Academies' Trust or LEA will be asked to provide details on:

- any known previous incidents involving the member staff;
- confirmation that the member of staff is not on any Lists.

Some or all of these details may be requested by the Police/Social Services in advance of the strategy meeting.

7.9 If the outcome of the referral/Strategy Meeting is that Social Services and/or the Police wish to investigate the matter, the Basildon Academies' Trust must take no further action (other than appropriate action relating to the member of staff's continued presence in post [See Section 8]) until given leave to do so by Social Services or the Police [See Appendix D].

8. ALTERNATIVE WORKING ARRANGEMENTS DURING INVESTIGATION

8.1 In order to deal with child protection allegations against staff, as with other alleged misconduct under the contract of employment, heads of establishment and governors have disciplinary powers and these powers extend to the ability to suspend staff pending the investigation process.

8.2 The effecting of suspension is always a difficult decision for managers to take. It can be distressing for the accused person and disruptive for the Basildon Academies' Trust. Although managers and staff understand that there is no implication of guilt against the member of staff, the perception of the individual and others can be otherwise and this can result in further pressures in an already tense situation. Nonetheless, if, at any stage, the following circumstances occur, it is, on balance advisable to remove the member of staff from their current situation.

- Where a child or children is/are considered to be at risk.
 - Where the allegations are so serious that dismissal for gross misconduct would be a possible outcome (If the allegations are subsequently proven, it will be more difficult to argue the justification for summary dismissal for gross misconduct (which suggests the continued presence of the employee is intolerable) when the employee remained in post after the allegations were made).
 - Where allowing the member of staff to remain at work could hinder the investigatory process. (An example of this may be where the Police are interviewing children and there is a concern that they may be intimidated (albeit unintentionally) by the employee's presence or there is concern that the employee may try to influence them.)

In many cases, a strategy meeting will provide useful information on which to judge whether the employee should remain in post during the investigation process.

8.3 However, suspension should never be an automatic response to an allegation. Initially, where suspension seems to be appropriate, alternative approaches should be considered. Where possible the employee should be removed from the particular class or area of work or given work to undertake at another site or at home. Ultimately however, where such alternatives are not possible, the member of staff may need to be suspended. Case Law has established that automatic suspension, without consideration of alternatives, can leave the employer liable to claims for damages for stress and defamation.

8.4 Where possible, an employee should be given due warning of the meeting at which they are to be suspended/required to continue working under alternative arrangements and invited to seek advice from, and bring, a representative. Such meetings will normally be conducted outside of student contact time. These procedures may not always be possible however, as by their very nature these decisions will need to be made quickly. At the suspension meeting the employee should be given as much information, including reasons and details of the subsequent procedures, as is consistent with not interfering with an investigation and as is allowed by the Police/Social Services where appropriate.

8.5 Where an employee is suspended or undertaking 'other duties', this should always be on full normal pay (sick pay where the employee has a period of certificated sickness). Details of suspension or alternative work arrangements should be confirmed in writing. It should be made clear that the suspension is a neutral act and not a disciplinary sanction.

8.6 Where the Chair of Governors suspends or arranges alternative work arrangements with the Headteacher, the governing body and the LEA should be informed.

9. DISCIPLINARY ACTION BY THE BASILDON ACADEMIES' TRUST

9.1 As referred to throughout this document, there is a distinction to be drawn between the considerations made by Social Services, the Police and the employer – the education establishment.

9.2 In some cases it will be necessary for the Basildon Academies' Trust to conduct an investigation under its own internal disciplinary procedures.

Details of this procedure are not reproduced here and should be referred to as necessary. This may be when the Police/Social Services have completed their processes and have decided not to take the matter further in the most serious cases [Reference Section Appendix D] or where a referral was not necessary but misconduct or inappropriate conduct may have occurred [Reference Section 3.5]. Often, this will not result in any formal action, but it is important that the matter is thoroughly investigated, recorded and, where appropriate, the member of staff given management advice. Where there is a case to answer, the full course of the disciplinary procedure should be followed, and the employee dismissed where this is the appropriate response.

9.3 Advice should be sought from the LADO and HR advisers as appropriate.

9.5 In circumstances where an employee is dismissed (and in most cases where an employee leaves and would have otherwise been dismissed), employers must refer the matter to the Secretary of State for possible inclusion on the DfE Children's Barred List list of excluded employees. Referral should also be made to the HR Team for consideration for inclusion on The List.

9.6 Although the details of any disciplinary action and/or sanction cannot be disclosed to parents or other parties, it is appropriate to inform the relevant child's parents that the matter has been dealt with in accordance with the adopted policy and relevant procedures.

9.7 Basildon Academies' Trust staff are obliged to make reference to any current disciplinary sanctions and to the fact of, and reasons for, a dismissal where appropriate, when writing references. Basildon Academies' Trust staff should also be

frank when writing references in respect of staff who have resigned pending the outcome of any disciplinary investigation. This can be an area of concern and advice from personnel/legal advisers should be sought. In general terms however, provided the employee was aware of the allegations, they had been discussed with him/her and the reference is factually accurate (this should include a report of the employee's response to the allegations), the Basildon Academies' Trust should not be vulnerable. It is in everyone's interests, not least children's, that Basildon Academies' Trust staff work together to prevent abuse. The use of Compromise Agreements in concluding employment is not recommended in child protection related cases.

9.8 The Basildon Academies' Trust may find it helpful, at the conclusion of a child protection case, to consider whether there are any general matters arising from it which might warrant a review of local procedures and key issues should be brought to the attention of the LADO for more general consideration. Any training needs of staff might well be considered as part of any such reviews. Care should be taken to maintain the confidentiality required in relation to particular cases.

10. SUPPORT FOR STAFF AND OTHERS

10.1 Employers have a legal 'duty of care' for the safety, well-being and health of their staff and it is important where any employee is moved from their usual post, or from the Basildon Academies' Trust entirely, that he/she is kept informed, as far as possible, about any relevant progress in the case and about general Basildon Academies' Trust issues.

10.2 The Headteacher should be responsible for discussing the child protection procedure/disciplinary issues with the member of staff and another person should be assigned to act as the link on general Basildon Academies' Trust issues. The link should not be the designated child protection person in the Basildon Academies' Trust.

10.3 Ideally the link person for the employee will be the Headteacher (Head of School) or other senior manager, although where the employee is close to another member of staff and they are comfortable to act as the link, this arrangement would be acceptable. Where the case relates to the Headteacher or Headteacher (Head of School) and another senior manager is not deemed to be an appropriate link person, a governor may be assigned to act as the contact between the employee and the Basildon Academies' Trust on general issues.

The link person should avoid discussing the allegations or details of the case with the employee. Where the Headteacher is suspended or assigned to other duties/location, a senior officer from the LEA will be allocated to support the Headteacher through the provision of timely and relevant information.

10.4 The Basildon Academies' Trust should also distribute Basildon Academies' Trust mail and developmental materials to the employee's home address and arrange where practicable for him/her to be kept abreast of events within the Basildon Academies' Trust. In many cases it will be appropriate for the member of staff to continue to attend external training courses and non- student days.

10.5 Clearly, all of these arrangements need to be handled sensitively and made in consultation with the employee and in accordance with the particulars of the case.

10.6 Employees should be encouraged to seek advice from their Trade

Union/Professional Association for personal support. Non-union members may wish to contact the Citizens Advice Bureau or seek expert legal advice.

Employees may also be referred to other sources of support, eg stress counsellor.

10.7 The HR Team may assist where possible in liaising with trade unions and professional associations. However, where they might be agents of the management of the Basildon Academies' Trust, personnel staff cannot act as advisers to individual employees.

10.8 Inevitably, there will be some occasions where allegations are made which are later found, through the due processes of Police/internal investigation to be unfounded or less serious than initially assessed. There will also be occasions when the employee remains in the Academies during, or returns to work following the process, and may end up with a disciplinary sanction.

Whatever the circumstances, but particularly where the member of staff has been removed from his/her normal post during the enquiry, arrangements should be made to support the employee's return to normal duties. Where the absence has been for some time, this may involve a gradual re-introduction to the Basildon Academies' Trust.

10.9 Unfounded allegations are often not the result of maliciousness, but more often of misunderstanding or misperception and students and their parents may find it difficult to accept the outcome of the child protection/disciplinary process. Heads of establishment will need to manage those reactions and support the student as well as protecting the employee.

10.10 When an allegation is made against any member of staff, it may also have an effect on members of staff other than the accused. Staff may have witnessed or reported the issue, be close to the employee concerned, or generally feel concerned about the professional ramifications for others, or themselves, in very serious cases. As mentioned previously, training in child protection matters is essential in ensuring that all staff understand and appreciate the steps that will be taken if allegations are made. This will better enable staff to feel confident and secure, and to fully understand, that any actions, for example a referral to Social Services or suspension, are necessary and do not represent an exaggerated or overly-judgmental response. [See also Section 11]

10.11 Consideration should also be given to the support that may be required for the child or children making the allegations and their parents. Advice should be sought from the LADO.

11. SHARING INFORMATION

Managers should seek advice from the LADO.

11.1 Child protection issues, in common with most issues involving children, are extremely sensitive and can cause feelings to run high among all parties involved. A very careful balance needs to be struck between being open with parents and other staff and not sharing too much information.

11.2 In many cases parents and others will have information from unofficial sources e.g. witnesses to incidents will talk about them, parents will share information, staff will be aware of things happening etc. This often makes it difficult to say nothing and it is rarely appropriate to try to explain away an employee's absence, for example by saying they are off sick.

11.3 It would not be appropriate to describe a standard course of action that should be taken, because each case will need to be assessed on its own circumstances.

11.4 In general, however, Basildon Academies' Trust staff will need to inform parents of alternative arrangements made for covering an absent employee, and it may be appropriate in some circumstances to inform parents of an employee's suspension. However, while it is rarely appropriate to share details of the allegations, any communication should make it clear that where an employee is on alternative work arrangements or suspended, this is a neutral act and is implemented to allow a full investigation to take place. Managers will need, in consultation with the LADO, to make similar judgements in relation to what information to share with other staff and the press.

11.5 Students and parents involved in a case need to be kept informed of the procedural issues, in line with any advice/instruction from the Police/Social Services/the LADO where appropriate.

11.6 Senior, and sometimes other, staff may need to know the reason for a suspension/alternative work arrangements. Likewise, governors may need to be informed of the fact of a suspension, but details should not be disclosed to avoid prejudicing those that may have to hear a disciplinary case.

11.7 Where the Press are pursuing an issue, statements and interviews should not normally be given without first seeking advice from the LADO who will liaise with the lead agency – normally Social Services (Police if it is a criminal investigation). It may be advisable in certain circumstances to issue a statement to quell gossip and speculation and it will normally suffice to say that the matter is being properly and formally dealt with in accordance with adopted policy and relevant procedures.

11.8 Finally, other Basildon Academies' Trust staff and governors should be advised not to discuss matters relating to the case with parents or other parties, but should instead refer all enquiries to the head of establishment/Chair of Governors.

12. RECORDS

12.1 Documents related to child protection matters should be retained indefinitely, in a secure place by the Basildon Academies' Trust.

12.2 Papers relating to the disciplinary process should be retained on the employee's personal and confidential file in accordance with the Basildon Academies' Trust's disciplinary procedures.

12.3 If an employee is dismissed, or resigns before a disciplinary process is completed, he/she should be informed about the employer's statutory duty to report the case to the Department for Education and Skills Teacher's Misconduct Section, for consideration of their debarring from further employment.

12.4 Where a student has made an allegation, a copy of the statement or record should be kept on that section of the student's personal file that is not open to disclosure, together with a written record of the outcome of the investigation (not including details of the employee disciplinary process).

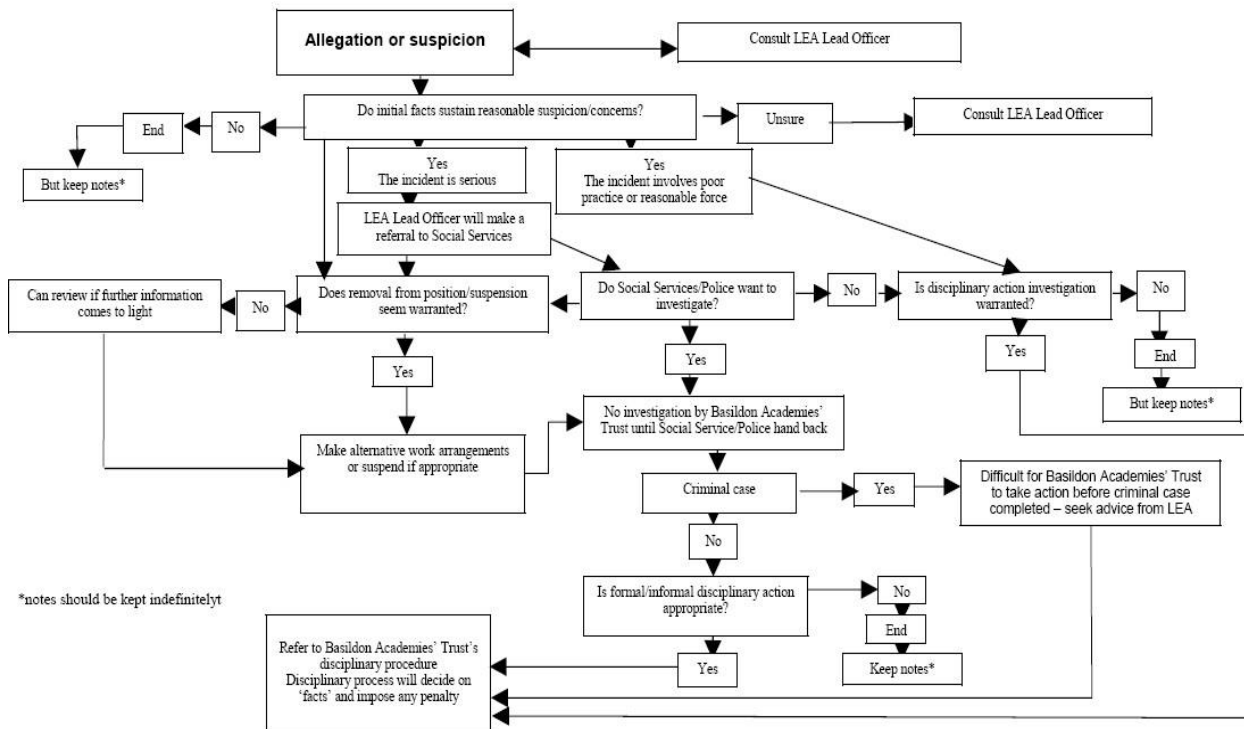
12.5 If there are related criminal or civil proceedings, records may be subject to disclosure and therefore no assurance can be given of confidentiality.

12.6 A referral must be made to the DBS (Data and Barring Service) if the employee has engaged in conduct that has harmed (or is likely to harm) a child, or if a person otherwise poses a risk of harm to a child.

APPENDIX A GUIDELINE FRAMEWORK

APPENDIX A

GUIDELINE FRAMEWORK FOR PRINCIPALS/GOVERNORS FOLLOWING RECEIPT (OR SUSPICION) OF ILL-TREATMENT OF PUPILS



15

LEA Lead Officer is referring to LADO under new statutory guidance.

APPENDIX B ESTABLISHING INITIAL FACTS

Context

The context in which an incident occurs is crucial to understanding the allegation and the definition to be ascribed to it. In order to differentiate between incidents which are of a child protection nature and those which may more properly be dealt with as conduct or competency issues, or to identify those allegations which are false or erroneous, the allegation should be considered, in consultation with the LADO, in the light of the following:

- normal duties (e.g. student or teacher away from expected location)
- environment (e.g. special events, trips)
- standards applied to the member of staff, with regard to the activity and circumstances in which the alleged incident occurred (e.g. job description, code of conduct, local practice guidance)

- conduct of the member of staff (e.g. previous concerns, present conduct, disciplinary record)
- conduct of the child (e.g. both characteristic and uncharacteristic behaviour, previous allegations made, previous incidents)
- child, parent, employee, witness views of incident Listening to children

NB. The following are general principles as set out in the Joint Employers/Union advice Bulletin 647.

Children who report that a member of staff has abused them must be listened to and heard, whatever form their attempts to communicate their worries take.

- The child should be listened to but not interviewed or asked to repeat the account
- The child should not be interrupted when recalling significant events.
- Care should be taken not to make assumptions about or to interpret what the child is saying.
- On no account must suggestions be made to the child.
- Statements must not be taken from the child but their account, in their own words, should be recorded.

Members of staff must not promise confidentiality to a student who makes an allegation. Clearly, consideration will need to be given to the age and understanding of the child, the perceived and assessed level of risk to him/her and others. While acknowledging the need to create an environment conducive to speaking freely, the member of staff should make it clear that he/she will need to pass on the information to ensure the protection of children. Within this context the child should be assured that the matter will be disclosed only to those people who need to know about it. The support needs of the child must be considered and met, utilising resources within and/or beyond the Basildon Academies' Trust as necessary.

General

- Only brief and open questions must be asked at this initial stage. For example

Can you tell me about lesson 1 today?

Do you recall anything happening in class last Friday?

The following scenarios may help.

A child complains to the Headteacher that Mrs X pushed him over. The Headteacher would ask the child simply "what happened?". This should be enough at this stage to get an idea of the child's version of events. It would then be necessary to speak to the member of staff against whom the allegation is made. Again, it should suffice to ask the teacher what happened, giving only such information as is necessary to set the context (eg the lesson time, the class).

A parent telephones to say that their child came home the previous evening and said that Mrs Y, a teaching assistant, had hit him on the head during a lesson. The Headteacher should ask the parent for further details of what the child said. The

Headteacher then asks the teaching assistant if anything happened in the lesson, but the teaching assistant says nothing happened. It would then be necessary to ask the teacher (or other adult witness) if anything happened.

NB

- Where there are adult witnesses, these should be the primary source of information at this stage (i.e. avoid talking to children where possible [See Section 3])

APPENDIX C STRATEGY MEETING

The format and running order of each meeting will differ slightly according to the nature and source of the allegation and the referral. In general terms however, the following stages will be covered.

- A member of Social Services will chair the meeting, which will be minuted.
- The meeting will usually begin with the Social Services team outlining the information they have on the case.
- Other agencies will then be invited to provide any information they have about the incident/allegation. This stage will usually start with the source of the referral eg Police or the Basildon Academies' Trust.
- Appropriate agencies will then be invited to share information about the child(ren) and the member of staff involved.
- Where appropriate, a discussion may take place regarding the member of staff's continued presence in the Academies. The Strategy Meeting may make a recommendation to the Basildon Academies' Trust, but the decision remains the Basildon Academies' Trust's.
- Finally, next steps will be agreed.
- Social Services and the Police may not consider that they need to investigate the matter, although they may still make a recommendation that the Basildon Academies' Trust should investigate/issue advice/undertake training for staff matter in which case the Basildon Academies' Trust will be informed that they must take no further action at present. It is likely that one (or more) further Strategy Meetings will be called following Social Services' enquiries to report on progress/findings.
- A decision is usually made about who will make contact with the parents to inform them of the next step or that the matter has been handed back to the Basildon Academies' Trust.

APPENDIX D CRIMINAL CASES

1 Social Services/the Police may decide, after they have conducted their investigations, that there is no case to answer in which case the matter will be handed back to the Basildon Academies' Trust to deal with under its own disciplinary procedures [See Section 11]. On some occasions however, a case may be forwarded to the Crown Prosecution Service (CPS) for a decision on whether or not a prosecution is warranted, and in a few cases criminal proceedings will follow.

2 Cases which are subject to a full investigation by the Police, and particularly those which result in a prosecution, present particular difficulties for Basildon Academies' Trust staff, not least in the time these cases can take to pass through the courts. Moreover, the impact of such cases on the students and employee(s) involved and the wider Basildon Academies' Trust community cannot be underestimated.

3 Police Officers should be given every assistance with their enquiries but confidentiality about the enquiries should be maintained in the individual's interests. It would not normally be expected that police interviews would be undertaken on Basildon Academies' Trust premises, although this may sometimes be requested, and it would be expected that appointments are normally made for such interviews at reasonable times.

4 In most circumstances, it is not possible for the Basildon Academies' Trust to undertake its own investigation under internal disciplinary procedures until the end of the criminal proceedings, which can result in a member of staff being suspended for a considerable length of time. On the rare occasions where an internal disciplinary case may be considered prior to the outcome of criminal proceedings, no action must be taken without the express agreement of the Police and Social Services.

5 One of the reasons for an inability to proceed is that the employer will not usually be given access to Police statements until after the criminal case has been heard.

6 Once Police action and/or a criminal process has been completed, it will probably be still necessary for the Basildon Academies' Trust to take its own action under its own procedures. There is no direct relationship between the criminal law process and the employment law process, not least because of the different standards and tests which apply.

7 It is not automatically the case that an employee who is imprisoned is in breach of his/her contract. In most cases therefore it will be necessary for the Basildon Academies' Trust to conduct an investigation under its disciplinary procedures [See Section 9] and to formally end the contract of employment where appropriate.

8 In cases of imprisonment, consideration must be given to the length and nature of the sentence applied and a decision made on an individual basis, about whether it is reasonable to proceed with a disciplinary case in the employee's absence. In any case, the employee must be fully informed of the process; afforded every opportunity

to make representations about the case and given the right of appeal where appropriate. Such cases are thankfully extremely rare, and advice should be sought on an individual basis.

USE OF POLICE EVIDENCE AND LINK WITH ACTION BY OTHER AGENCIES

1 Although it will generally not be possible for heads of establishment or personnel officers to be present when the Police are taking witness statements, copies of such statements can be made available in some circumstances and used as evidence in an internal disciplinary process.

2 Such statements are released at the discretion of the Police and requests should be made in writing, clearly indicating the reasons the statements are required. The Police will be required to seek the permission of the individual (or parents in the case of children's statements). It is unlikely that statements will be released prior to any court case, if the matter proceeds to this stage. Heads of establishment should seek assistance from the LADO and, where appropriate, legal services, in obtaining copies of statements. Employers will need to use their discretion in these matters, and may decide that it is appropriate to interview witnesses themselves as part of an internal disciplinary process. This is often appropriate in the case of adults, not least because the focus of the Basildon Academies' Trust's case may be slightly different from that of the Police. For example, the Police will be considering whether a criminal offence has been committed, whereas an education establishment may be looking at the issue of what is acceptable behaviour in the context of the employment.

3 The re-interviewing of children should however be avoided where at all possible, and only exceptionally should children be called as witnesses to give evidence personally at disciplinary hearings. Such actions should only be taken following the advice of Social Services/the Police.

Specific Safeguarding Issues

APPENDIX E HONOUR BASED VIOLENCE

So-called 'honour-based' violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubts staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV. Staff should also be aware of the Mandatory Reporting duty for FGM. Guidance and indicators of FGM which can be found via the following link:

<http://media.education.gov.uk/assets/files/pdf/f/fgm%20guidance.pdf>

APPENDIX F CHILD SEXUAL EXPLOITATION

CSE involves situations where young people receive something as a result of engaging in sexual activities. It can take many forms ranging from 'consensual' relationships where sex is exchanged for gifts to organised crime and gang involvement. Sexual exploitation can involve unwanted peer pressure and sexual bullying, including cyberbullying and grooming. Staff should be aware of the issue. Guidance can be found via the following link:

[http://webarchive.nationalarchives.gov.uk/20130401151715/http://www.education.gov.uk/publications/eOrderingDownload/Safeguarding CPY from sexual exploitation.pdf](http://webarchive.nationalarchives.gov.uk/20130401151715/http://www.education.gov.uk/publications/eOrderingDownload/Safeguarding%20CPY%20from%20sexual%20exploitation.pdf)

APPENDIX G PREVENTING RADICALISATION

The Designated Safeguarding Leads must report to Channel panels any suspicions or concerns in relation to radicalisation, as per the guidance from the Counter-Terrorism and Security Act, 2015. All staff should be aware of the issue. Guidance can be found via the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf

It requires schools to:

teach a broad and balanced curriculum which promotes spiritual, moral, cultural, mental and physical development of students and prepares them for the opportunities, responsibilities and experiences of life and must promote community cohesion

- be safe spaces in which children / young people can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, and learn how to challenge these ideas
- be mindful of their existing duties to forbid political indoctrination and secure a balanced presentation of political issues

CHANNEL is a national programme which focuses on providing support at an early stage to people identified as vulnerable to being drawn into terrorism.

APPENDIX H CHILDREN MISSING FROM EDUCATION

All children, regardless of their age, ability, aptitude and any special education needs they may have are entitled to a full-time education. Our school recognises that a child missing education is a potential indicator of abuse or neglect and will follow the school procedures for unauthorised absence and for children missing education. Parents should always inform us of the reason for any absence. On admission the school will request one or more contact numbers for students where reasonably possible. In the event where contact is not made, a referral may be made to another appropriate agency (Missing Education and Child Employment Service, Social Care or Police).

Our school must inform the local authority of any student who fails to attend school regularly, or has been absent without school permission for a continuous period of 10 days or more.

APPENDIX I PEER ON PEER ABUSE

Our school may be the only stable, secure and safe element in the lives of children at risk of, or who have suffered harm. Nevertheless, whilst at school, their behaviour may be challenging and defiant, or they may instead be withdrawn, or display abusive behaviours towards other children. Our school recognises that some children may abuse their peers and any incidents of peer on peer abuse will be managed in the same way as any other child protection concern and will follow the same procedures. We will seek advice and support from other agencies as appropriate.

Peer on peer abuse can manifest itself in many ways. This may include bullying (including cyber bullying), physical abuse, sexual violence / sexual harassment, 'sexting' or initiation / hazing type violence and rituals. We do not tolerate any harmful behaviour in school and will

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Reviewed by: April Guinea & Louise Sherman

July 2018

take swift action to intervene where this occurs. We use lessons and assemblies to help children understand, in an age-appropriate way, what abuse is and we encourage them to tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable. Our school understands the different gender issues that can be prevalent when dealing with peer on peer abuse.

The Academies Anti Bullying policy supports students and staff in dealing with peer on peer abuse and recognises the role of the schools dedicated Respect Champion to support all parties involved.

APPENDIX J CHILD CRIMINAL EXPLOITATION

Child criminal exploitation is a geographically widespread form of harm which is a typical feature of county lines criminal activity (county lines is when drug networks or gangs groom and exploit children to carry drugs and money from urban areas to suburban areas and seaside towns). Our school works with key partners locally to prevent and respond to child criminal exploitation.

County lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
 - can affect any vulnerable adult over the age of 18 years;
 - can still be exploitation even if the activity appears consensual;
 - can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
 - can be perpetrated by individuals or groups, males or females, and young people or adults; and
 - is typified by some form of power imbalance in favour of those perpetrating the exploitation.
- Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741194/HOCountyLinesGuidanceSept2018.pdf

APPENDIX K DOMESTIC ABUSE

Domestic abuse can take many forms, including psychological, physical, sexual, financial and emotional. Our school recognises that exposure to domestic abuse can have a serious, long-term emotional and psychological impact on children. We work with other key partners and will share relevant information where there are concerns that domestic abuse may be an issue for a child or family or be placing a child at risk of harm.

Advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

NSPCC- UK domestic-abuse Signs Symptoms Effects
Safeguarding Policy
Reviewed by: April Guinea & Louise Sherman

July 2018

Refuge what is domestic violence/effects of domestic violence on children
Safelives: young people and domestic abuse

APPENDIX L HOMELESSNESS

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead and deputies should be aware of contact details and referral routes in to the Local Housing Authority (LHA) so they can raise/progress concerns at the earliest opportunity. The referral to LHA should not replace a referral to children's social care if there is a concern where a child has been harmed or is at risk of harm.

The school will also recognise that some its Upper academy students could be living independently from their parents or guardians due to exclusion from the family home for example and may require a different level of support. In these instances the designated safeguard lead (or deputy) will engage primarily with Children's services and ensure appropriate referrals are made based on the child's circumstances.

Further guidance on the provision of accommodation for 16 & 17 year olds can be found at the link below:

<https://www.gov.uk/government/publications/homelessness-reduction-bill-policy-factsheets>

APPENDIX M CHILDREN WITH FAMILY MEMBERS IN PRISON

Where Students may have a parent sent to prison, these children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The designated safeguarding lead will refer to NICCO guidance which provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

<https://www.nicco.org.uk/>

APPENDIX L HOMELESSNESS

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead and deputies should be aware of contact details and referral routes in to the Local Housing Authority (LHA) so they can raise/progress concerns at the earliest opportunity. The referral to LHA should not replace a referral to children's social care if there is a concern where a child has been harmed or is at risk of harm.

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Section 2

Safer Recruitment Policy

1. Policy Statement

This policy clarifies the recruitment and selection procedure for positions at the Basildon Academies and provides employees who have responsibility for recruitment and selection with guidance on legal requirements and best practice. The Academies are committed to ensuring that the recruitment and selection of all staff and volunteers is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity.

The measures described in this policy will be applied in relation to everyone who works in these Academies. Children are likely to perceive all members of staff as safe and trustworthy adults. Those are not only people who regularly come into contact with children, or who will be responsible for children, as a result of their work. They are also people who regularly work in a school setting when the students are present, who may not have direct contact with children as a result of their job, but nevertheless will be seen as safe and trustworthy because of their regular presence in the setting. This not only includes staff employed on a permanent basis but also temporary and casual staff, unpaid volunteers and those employed by external organisations such as supply agencies.

The Academies will:

1. implement the recruitment procedures for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children or who is disqualified from working with children.
2. ensure that all staff and volunteers in the Academies are aware of their responsibility to protect children and young people.
3. ensure that all staff and volunteers are aware of, and adhere to, the Academies' code of conduct and child protection policy and procedures.
4. ensure that all staff and volunteers understand their responsibility to refer any child protection concerns in line with the Academies' child protection procedures.

2. Safeguarding Children

This policy and guidance incorporates good practice and recommendations from the Bichard Inquiry Report (2004) and the DfE publication DfE/1568/2005 Safeguarding Children: Safer Recruitment and Selection in an Education Setting. Also, the updated guidance from Keeping Children Safe in Education (2016) has been included.

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. The Governing Body is committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment. It is recognised that this can only be achieved through sound procedures, good inter-agency co-operation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake.

The Governing Body is committed to safeguarding children and will take all reasonable steps to ensure that unsuitable people are not appointed to work with them.

We follow strict screening and security checks on all applicants to ensure that all staff are suitable to work with children. All applicants will be required to undergo recruitment screening appropriate to the post, including checks with past employers, medical clearance and the Disclosure and Barring Service (DBS).

References must be in writing and specific to the job applied for – “open” references or “testimonials” are not acceptable. The Academies will not accept references from relatives or from people writing solely in the capacity of friends. Only references from a trusted authoritative source will be acceptable.

Reference requests will specifically ask:

- about the referee’s relationship with the candidate,
- whether the referee is satisfied that the candidate has the ability and is suitable to undertake the job in question,
- whether the referee is completely satisfied that the candidate is suitable to work with children, and, if not, for specific details of the concerns and the reasons why the referee believes the person might be unsuitable.
- Referees will also be asked to confirm details of:
 - the applicant’s current post, salary and sick record;
 - performance history and conduct;
 - any disciplinary procedures in which the disciplinary sanction is current;
 - any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the disciplinary sanction has expired, and the outcome of those; and,
 - details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children, and the outcome of those concerns.

3. Pre-Employment Checks

The successful candidate will be advised that an offer of employment is subject to:

1 satisfactory health questionnaire screening and/or medical assessment verifying mental and physical fitness to carry out work responsibilities

2 satisfactory references

3 DBS clearance

4 the production of evidence of the right to work in the UK and identity verification

5 the production of evidence of relevant academic/professional qualifications

6 any other checks or clearances that may be outstanding

7 a probationary period

It may be possible to negotiate a provisional start date, but the successful candidate should not commence employment until requirements 1-6 have been met.

Once all pre-employment checks have been satisfactorily received, an offer of employment will be made and we will arrange for the contract of employment to be issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing.

For the successful candidate, the Academies will retain the following information which will make up part of the personal file:

- Application form
- Proof of identity
- Proof of academic qualifications
- Certificate of good conduct (if applicable)
- Evidence of medical clearance (from the Occupational Health Centre)
- Evidence of the DBS (i.e. the DBS certificate reference number)

The Academies will comply with the DBS's Codes of Practice in respect of disclosure information and will destroy DBS disclosure information within 6 months of the date of the certificate. A copy of the DBS reference number will be retained as confirmation that a check has been carried out and as confirmation as to whether the check was positive or negative.

4 Criminal Record Check

The Disclosure and Barring Service (DBS) provide criminal record checks for people working with children reducing the risk that unsuitable people can gain employment with children.

The Academies must arrange for a successful candidate who is, or who has been, resident in the UK to be DBS checked to verify their declaration. Employment should not commence until this has been completed.

The Chair of the selection panel/ Headteacher, must contact the successful candidate as soon as possible after the interview and ask them to complete a blank DBS Disclosure form.

On receipt of the completed DBS form, it is important to check that the evidence provided is acceptable. The verification part of the disclosure form must be completed by the person who completed the verification information at the interview stage (ie the person who checked identity documentation) and then sent to the disclosure unit, along with a validation form (See Appendix 14) for countersigning, logging and despatch to the DBS.

The typical time scale for receipt of a Disclosure is 6-8 weeks. For guidance on completing a DBS form see Appendix 15.

5 The Children's Barred List

The Children's Barred List is a confidential document, maintained and compiled by the DBS which contains the details of people whose employment in the education sector has been barred or restricted by the Secretary of State.

Employers are required by the Education (Restriction of Employment) Regulations 2000 to check the List to ensure that they do not appoint someone to a post from which they have been barred. A person whose employment has been restricted by the Secretary of State may only work in a post which does not contravene the terms of the restriction. Where employment has been restricted by Secretary of State the person will appear on Children's Barred List (maintained by DBS). Children's Barred List is also checked as part of a DBS check.

6 Interviewing Volunteers

Where the volunteering opportunity involves a regular commitment over a period of time and/or involves working with children, volunteers should undergo a formal interview. An interview will provide the Academies with:

- an opportunity to explain the workings of the Academies and how volunteers fit into that.
- time to ask volunteers for the factual information needed to make a successful placement.
- the opportunity to explore their suitability to work with children, including their motivation to work with children and their ability to form and maintain appropriate relationships and personal boundaries.
- an opportunity to determine whether any special health and safety criteria need to be met

For the volunteer, the interview offers the opportunity to find out more about the nature of the work and to decide whether they will be able to put their skills and experience to full use and how much time they want to commit.

7 Equal Opportunities

The Academies' Equal Opportunities in Employment Policy should cover the recruitment, training and support of volunteers.

8 References

References should be required for all potential volunteers. Such references should not be supplied by members of the volunteer's family, but from an individual who has known the volunteer for a minimum of two years.

9 Qualifications

Where a volunteer declares that he or she holds qualifications relevant to the volunteering opportunity, these should be checked prior to the volunteer joining the Academies.

10 Criminal Record Declarations and DBS checks

The Academies should adopt the same process as it would for paid staff. Volunteer applicants should therefore be required to disclose previous convictions via the SD2 self-declaration form and via the DBS disclosure form. The existence of a criminal record will not necessarily debar someone from being a volunteer. It will be considered with regard to the nature of the volunteering activity and the nature, severity and date of the offence (see the Academies' employment of ex-offenders policy for further guidance). DBS checks should be undertaken for anyone who, in the course of their voluntary activity, will have unsupervised access to children.

11 Starting Employment without DBS clearance

Where the Academy allows an individual to start work in regulated activity before the DBS certificate is available, they should ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

Section 3

Vocational Placement Policy

The Academies will provide equal opportunities for all on the basis of individual ability, regardless of race, colour, ethnic origin, nationality, citizenship, marital status, gender, sexual orientation, socio-economic status, age, religion, creed, disability, political persuasion, or other inappropriate grounds. The Academies aims to ensure that no unlawful or unfair discrimination (whether direct or indirect) or victimisation or harassment takes place on any of the above grounds.

Statement of Commitment

The Academies will provide child protection training to young persons before they commence a work placement and will encourage discussion during the briefing.

The child will be encouraged to report appropriately any concerns encountered in the workplace and will be advised of the procedures involved in reporting a child protection issue.

Appropriate training and information will be provided to staff at the school to raise awareness of child protection issues within a work placement.

1) Minimum Standard - Pre-placement Checks

i. Child Protection issues form part of the evidence base (including young person risk assessment) on which a decision to place a young person is made;

2) The Academies - Pre-placement Procedures

i. No work experience placement of any duration will proceed unless appropriate

consideration of child protection matters have been made;

ii. A pre-placement check with the potential employer covering health and safety, risk assessments, child protection, employer briefing and job description will be carried out by the Vocational Placement Manager or suitably qualified member of the team;

iii. The Academies are satisfied the young person has been prepared and briefed sufficiently to avoid any potential situations where they may be vulnerable;

iv. An emergency out of hours contact number provided;

v. A decision regarding whether a Disclosure and Barring Service (DBS) disclosure is necessary is recorded on the risk assessment;

vi. A DBS disclosure may be carried out on the supervisor responsible for the young person (prior to commencing the placement) under the following circumstances:

- when training happens frequently – defined as more than 3 days in a 30 day period;
- when a learner(s) has special educational needs;
- where the supervisor has substantial unsupervised access to the child;
- where there is a residential component;
- if the young person is considered vulnerable.

3) Minimum Standards - Record Keeping

i. If concerns are raised regarding a placement, a minor incidents log will be maintained. The placement will be regularly reviewed and feedback sought to avoid potential problems arising in the future;

4) Academies - Record Keeping Procedures

i. An electronic log of reported minor incidents/concerns will be maintained on the secure network;

5) Minimum Standards - Incident Reporting Procedures

i) Immediately after an incident has been reported a log of all telephone calls and actions is recorded;

ii) The student will be withdrawn from the placement, as soon as is possible and the head teacher informed;

iii) No action will be carried out without the consent of the head teacher, the Chair of Governors or the Local Education Authority;

iv) The work placement provider will be suspended from future placements until such time as the source of the incident (both personnel and systemic) has been removed and re-visited by a competent assessor;

v) Any relevant advice/information from Social Services or the Police would inform the re-assessment of the placement;

vi) Internal systems and procedures will be reviewed;

6) Minimum Standards - Partnership Agreement

i. The Academies will not arrange an extended placement unless roles and responsibilities have been agreed.

7) The Academies Minimum Standard - Employer Partnership Agreement

i. Employers will be asked to sign an employer agreement covering child protection;

ii. Employers will be given a brief overview of child protection and informed of relevant information available from the DfE “What to do if you think a child is being abused” ;

iii. The Academies will carry out organised visits and observations to monitor the student’s performance. Child protection will be discussed during the placement visit and any concerns reported to the Academies;

8) Minimum Standard – Confidentiality

i. The Academies will consider carefully the situation where relevant information;

is not disclosed to the placement provider due to the requirements of the Data Protection Act 1998.

9) The Academies Minimum Standard - Confidentiality

i. The young person or parent/guardian will be asked to sign an agreement conforming to the terms and conditions of the placement.

ii. The student and/or parent/guardian will be asked to sign and agree to the sharing of medical information and personal details between the Academies and the employer.

iii. The Academies will not place a young person in any work placement which due to their history, includes significant “at risk” elements including medical, emotional, behavioural issues or involvement with the criminal justice system

10) The Academies Minimum Standard - Parents

i. All risks and any other information deemed necessary and as outlined in this policy will be communicated to the parent/guardian of the student

11) Minimum Standard - Work Experience Training (staff)

i. The Academies will cover child protection issues during induction of new staff and during refresher training of existing staff.

The responsibility for ensuring the above standards are met remains with the Academies.