

# Safeguarding Policy

*Mayfield Preparatory School recognises its responsibilities for child protection. Our policy applies to all staff, governors and volunteers working in the school. This policy applies to all pupils at Mayfield Preparatory School, including all pupils in the Early Years Foundation Stage. This policy is available for parents on the school website and as a hard copy from the school office on request.*

## Content

- The school's policy and procedures for dealing with concerns about a child, in accordance with locally agreed inter-agency procedures, including children who may be at risk of being drawn into terrorism. The Local Safeguarding Children Board (LSCB) is the Walsall Safeguarding Children's Board (WSCB). To report suspected child abuse, contact the WSCB Multi Agency Safeguarding Hub (MASH) on 0300 555 2866 (weekdays 8.45am – 5.15pm) and 0300 555 2922 or 0300 555 2836 (evenings, weekends or bank holidays). For support and advice about extremism, the Local Authority *Prevent* lead is Bob Spencer ([Robert.Spencer@walsall.gov.uk](mailto:Robert.Spencer@walsall.gov.uk)), the local police force 0845 113 5000, the non-emergency police number 101 and the DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors: 020 7340 7264 and [counter-extremism@education.gsi.gov.uk](mailto:counter-extremism@education.gsi.gov.uk).
- The school's arrangements for handling allegations of abuse against members of staff, volunteers and the Headmaster.
- The school's Staff Code of Conduct.
- For whistleblowing procedures, please see separate Whistleblowing Policy.
- The school's Staff Recruitment Policy and procedures (see Appendix 5).
- Management of safeguarding, including the appointment of the Designated Safeguarding Leads (DSL).
- The training of the DSLs, staff, volunteers and the Headmaster.
- Arrangements for reviewing the school's safeguarding policies and procedures annually.
- The school's arrangements to fulfil other safeguarding and welfare responsibilities.

## Statement of intent

The safety and wellbeing of all our pupils at Mayfield Preparatory School is our highest priority. Our business is to know everyone as an individual and to provide a secure and caring environment, so that every pupil can learn in safety. We expect respect, good manners and fair play to be shown by everyone so that every pupil can develop his/her full potential and feel positive about him/herself as an individual. All pupils should care for and support each other.

The school will operate in line with guidance set out by the Walsall Safeguarding Children Board (WSCB) and will give due regard to the Government Guidance Documents: *Keeping Children Safe in Education (September 2016) (KCSIE)*, which also incorporates the additional statutory guidance *Disqualification under the childcare Act 2006 (June 2016)*, and also refers to the non-statutory advice for practitioners *What to do if you're worried a child is being abused (March 2015)*; *Working Together to Safeguard Children (March 2015) (WT)*; *WT* refers to the non-statutory advice: *Information sharing (March 2015)*; and *Prevent Duty Guidance: for England and Wales (July 2015) (Prevent)*. *Prevent* is supplemented by non-statutory advice and a briefing note: *The Prevent duty: Departmental advice for schools and childminders (June 2015)*; and *The use of social media for on-line radicalisation (July 2015)*.

### Safeguarding is everyone's responsibility:

Child protection is a part of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific children who are suffering or are at risk of suffering significant harm. As adults and/or professionals or volunteers, everyone has a responsibility to safeguard children and promote their welfare.

Effective safeguarding arrangements in every local area should be underpinned by two key principles:

- safeguarding is everyone's responsibility: for services to be effective each professional and organisation should play their full part; and
- a child-centred approach: for services to be effective they should be based on a clear understanding of the needs and views of children.

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

*(Working Together to Safeguard Children, March 2015 DfE)*

### Procedures for staff

Any member of staff who has suspicions that a child is being abused should inform Matthew Draper (Headmaster) as Designated Safeguarding Lead (DSL) with status and authority for child protection matters and with responsibility for liaising with the relevant local agencies. In case of the Head's absence, inform Susannah Palmer (Director of Studies) as Deputy DSL or Bev Higgins (Head of Early Years Foundation Stage), as DSL for EYFS. Normal referral processes also apply when there are concerns that children are at risk of being drawn into terrorism. The responsibility of making decisions about referrals is with the school's designated safeguarding lead. However, anyone can make a referral, if necessary. It is important that children receive the right help at the right time to address risks and prevent issues escalating. It is also important to act on and refer the early signs of abuse, neglect and radicalisation, keep clear records, listen to views of the child, reassess concerns when situations do not improve, share information quickly and challenge inaction.

If a pupil decides to speak to a member of staff about the fact that either he/she, or a pupil known to them, is being bullied, harassed and abused, the member of staff should follow these procedures:

- Do not promise confidentiality, you have a duty to share this information and refer to LSCBs.
- React professionally. Listen to what is being said, without displaying shock or disbelief.
- Accept what is said.
- Reassure the child, but only as far as is honest, don't make promises you may not be able to keep e.g. *'Everything will be alright now'*, *'You'll never have to see that person again'*.
- Reassure the child that he or she was right to tell, and that he/she is not to blame for having been bullied or abused,
- Do not interrogate the child; it is not your responsibility to investigate.

- Allow the child to tell his or her own story. Do not ask leading questions (e.g. *Did he touch your private parts?*), ask open questions such as *'Anything else to tell me?'*
- Do not ask the child to repeat the information for another member of staff.
- Explain what you have to do next and who you have to talk to.
- Take notes if possible and write up your conversation as soon as possible afterwards on the school's child protection report form.
- Record the date, time, place, any non-verbal behaviour and the words used by the child (do not paraphrase), and the names of others who are present.
- Record statements and observable things rather than interpretations or assumptions.
- Report the conversation and hand in the form to the DSL.
- Follow up the referral with the DSL within 24 hours to check on progress and actions taken.

## Guidance for discussion with a child concerning abuse or a child's disclosure of abuse

It is important that members of staff seek information from children with tact and sympathy. This is particularly important if the child is making allegations of abuse. The member of staff's role is not to investigate but to listen carefully, keep relevant notes and pass on the information to the designated staff. Staff must not ask leading questions. Confidentiality cannot be promised to a pupil giving evidence.

Mayfield has a professional responsibility to share relevant information about the protection of children with other professionals, particularly investigative agencies. If a pupil confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the pupil sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies for the pupil's own sake. Within that context, the pupil should, however, be assured that the matter will be disclosed only to people who need to know about it.

Members of staff who receive information about pupils and their families in the course of their work should share that information only within appropriate professional contexts. Child protection records are kept securely locked.

Pupils who have a problem may speak to someone whom they trust. It is important that the member of staff sets the boundaries firmly at the outset of such a conversation, making it clear that no one can offer absolute confidentiality. A pupil who is insistent upon confidentiality should be referred to an external source, such as ChildLine (details are given later in this Policy), which is displayed in the homework diaries, and on notices around the school). If the pupil is only prepared to speak if absolute confidentiality is guaranteed, the member of staff should terminate the conversation at that point. The adult should provide the DSL with a written account of what has transpired as a matter of urgency.

Whatever the nature of your concerns, discuss them with your *DSL*. If you still have concerns, you or your *DSL* should refer to the LSCB for further advice.

## Procedures for the Designated Safeguarding Lead (DSL)

Upon receiving a report of physical or sexual abuse, the DSL, will:

- Limit any questioning to the minimum necessary to seek clarification only, strictly avoiding 'leading' the pupil or adult who has approached them by making suggestions or asking questions that introduce their own ideas about what may have happened.
- Tell the informing pupil or adults that they will now make sure that appropriate people are contacted to follow the problem up. Explain that confidentiality cannot be promised.
- Take any steps needed to protect any pupil involved from risk of immediate harm.
- If it is an allegation of abuse by a member of staff or volunteer, the DSL should follow the school's 'procedures when a member of staff faces allegations of abuse' detailed later in this policy.
- Otherwise, contact the WSCB MASH straight away, on 0300 555 2866. [In situations where the child resides in another local authority, contact the WSCB MASH and seek guidance on whether to contact directly the team for the area in which the child resides – see Appendix 1 for contact details of neighbouring Local Authorities].

In discussion with the MASH it will be determined whether the child has suffered or is at risk of suffering serious harm or whether the child may be in need of additional support from one or more agencies. In the former case, a referral will be made to the relevant department, for which parental consent is not required, and the procedure is outlined below. In the latter case, the LSCB will make arrangements for an Early Help Assessment involving one or more agencies, the pupil and parents.

### Making a referral when there are reasonable grounds to believe that a child has suffered, or is at risk of suffering, serious harm

Guidance from the Walsall MASH states, you will be asked to provide as much information as possible. Such as the child's full name, date of birth, address, school, GP, languages spoken, any disabilities the child may have, details of the parents. Do not be concerned if you do not have all these details, you should still make the call.

You should follow up the verbal referral in writing, within 24hrs. This should be done on a Multi Agency Referral Form (MARF). This can be downloaded from the WSCB website [www.wlscb.org.uk](http://www.wlscb.org.uk) under Child Protection Procedures. It is also available on the staff intranet.

- Follow advice given regarding
  - medical examination or treatment for the pupil( Follow CP procedures/ medicals completed within Section 47 enquiries)
  - immediate protection that may be needed for the pupil
  - informing other people of the School (including any other members of staff) of the investigation
- Inform the pupil or adult who made the initial report of what the next steps are to be, having agreed these with the LSCB.
- Take any necessary steps for the longer term protection and support of the pupil
- Ensure that any pupil being interviewed by the police has available a supportive member of staff of their own choice to accompany them if they so wish.

- Notify any relevant agencies, eg DBS, DfE or OFSTED (if the pupil is in the Early Years Foundation Stage) of any report that is being investigated by the LSCB and/or police.
- Ensure co-operation by the school in any subsequent investigation by the LSCB or police.
- Co-operate with arrangements where feasible for any pupil who has been the subject of abuse to receive any necessary continuing counselling and support by agreement the LSCB.

## Procedures for dealing with abuse by one or more pupils against another pupil

If an allegation of abuse has been made against another pupil, the school will also have regard to the school's behaviour, discipline and anti-bullying policies. Allegations of abuse will also include sexting and any other issues named in KCSIE of relevance to the school (such as banter, sexual assaults, gender-based issues. If it is found that a pupil has been abusing another pupil, sanctions will be applied according to the afore-mentioned policies.

Mayfield Preparatory School will attempt to resolve such issues internally under the school's own disciplinary procedures. When there is 'reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm', any such abuse will be referred to local agencies. It would be an expectation that in the event of disclosures about pupil on pupil abuse that all children involved, whether perpetrator or victim, are treated as being "at risk".

# Procedures when a member of staff faces allegations of abuse

## INTRODUCTION

Mayfield Preparatory School is committed to having effective recruitment and human resources procedures, including checking all staff and volunteers to make sure they are safe to work with children and young people. Key staff involved in recruitment processes will undertake Safer Recruitment Training.

However, there may still be occasions when there is an allegation against a member of staff or volunteer. Allegations against those who work with children, whether in a paid or unpaid capacity, cover a wide range of circumstances. Allegations that a member of staff has abused a pupil or pupils either inside the school premises or during a school trip or visit could be made by parents, the abused pupil, other members of staff, other pupils, the Police or Social Services, or a third party.

All allegations of abuse of children by those who work with children or care for them must be taken seriously. Each agency is required to have a Designated Senior Person who will receive all reports of allegations. The school's Designated Safeguarding Lead (DSL) is Matthew Draper (Headmaster). In case of the Head's absence, inform Susannah Palmer (Director of Studies) as Deputy DSL or Bev Higgins (Head of Early Years Foundation Stage), as DSL for EYFS. If the allegation concerns the Headmaster, the person receiving the allegation should immediately inform the Chair of Governors, June Aubrook, without notifying the Headmaster first. In case of serious harm, the police should be informed from the outset.

If an allegation is made against anyone working with children in a school, all unnecessary delays should be eradicated. The school will not undertake its own investigations of allegations without prior consultation with the local authority designated officer or team of officers (LADO(s)), or in the most serious cases, the police, so as not to jeopardise statutory investigations. In borderline cases, discussions with the LADO(s) can be held informally and without naming the school or individual.

## THE FIRST RESPONSE (see Appendix 4 for flow chart on the procedures)

Mayfield Preparatory School will respond promptly and sensitively to the legitimate concerns of the victim and his or her family. We undertake to:

- Take any allegation of abuse, involving a member of staff, very seriously;
- Establish the facts before jumping to any conclusion;

The following procedure should be applied in all situations where it is alleged that a person who works with children has:

- Behaved in a way which has harmed a child, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way which indicates that he/she is unsuitable to work with children

The allegations may relate to the persons behaviour at work, at home or in another setting.

The Headmaster, acting as DSL, should receive reports straight away in relation to allegations against those within the school. If an allegation is reported to a DSL, not the Headmaster, then the DSL should notify the Headmaster straight away. In the absence of the Headmaster, the DSL should report the allegations to the Chair of Governors. If the Headmaster is the subject of the allegations, these should be reported straight away to the Chair of Governors, without informing the Headmaster first.

All allegations should be immediately notified to the Local Authority Designated Officer (LADO) and certainly within one working day. The LADO in Walsall is Alan Hassall (01922 654040, 07432 422205)

The LADO will discuss the allegation with the DSL, consider the nature, content and context of the allegation and agree a course of action including any involvement of the police. Discussions should be recorded in writing, and communication with both the individual and the parents of the child/children agreed. It must be carefully considered whether the circumstances of the case warrant suspension or whether alternative arrangements should be put in place. The school will give full weight to the views of the LADO and this policy when making a decision about suspension. The discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded, whether a referral to the Local Safeguarding Children Board (LSCB) and/or Police is required and/or whether disciplinary action is appropriate.

Where the safety of other children is in question as a result of the allegation, consideration should be given to invoking the Complex (Organised or Multiple) Abuse Procedure (this can be found on the WSCB website [www.wlscb.org.uk](http://www.wlscb.org.uk) ).

Some allegations may be less serious and at first sight might not seem to warrant consideration of a police investigation or enquiries by LSCB. However, it is important to ensure that even apparently less serious allegations are followed up and examined objectively by someone independent of the school. Consequently the LADO should be informed of all allegations that come to the employer's attention and appear to come within the scope of this procedure so that he or she can consult Police and social care colleagues as appropriate.

Where such allegations are made, consideration must be given to the following three strands:

1. The police investigation of a possible criminal offence
2. Enquiries and assessment by LSCB as to whether the child is need of protection or in need of services
3. Consideration by an employer of disciplinary action in respect of the individual

In addition, such allegations may give rise to complaints of poor practice, which should be considered in line with the school's complaints or disciplinary procedures.

## SUPPORT FOR THE PUPIL

Our priority is to safeguard the young people in our care. We will give all the support that we can to a pupil who has been abused. The DSL will consider how best to support and monitor the pupil

concerned through any process of investigation, liaising closely with parents, guardians, LADO, LSCB, or other agencies involved to identify the support strategies that will be appropriate.

## CONFIDENTIALITY

The school must make every effort to maintain confidentiality and guard against unwanted publicity, even up to the point where the accused person is charged with an offence, or the DfE/NCTL publish information about an investigation or decision in a disciplinary case.

## SUSPENSION

Suspension of a member of staff is a neutral act and does not imply that any judgement has been reached about his or her conduct. Even so, it is a serious step, and we will take legal advice beforehand, and will normally only suspend a member of staff where:

- There is a serious risk of harm (or further harm) to a child who attends the school,
- The allegations are so serious as to constitute grounds for dismissal, if proven,
- The police are investigating allegations of criminal misconduct.

We recognise fully that we have a duty of care towards all of our staff, and we will always:

- Keep an open mind until a conclusion has been reached.
- Interview a member of staff before suspending him or her.
- Keep him or her informed of progress of the investigation.

Any member of staff who is invited to a meeting whose outcome is likely to result in his or her suspension, is entitled to be accompanied by a friend or Trade Union representative.

## ALTERNATIVES TO SUSPENSION

We will always consider whether an alternative to suspension might be appropriate. Possibilities include:

- Sending the member of staff on leave,
- Giving him or her non-contact duties,
- Ensuring that a second adult is always present in the classroom when he or she teaches.

## IF THE MEMBER OF STAFF RESIGNS

The resignation of a member of staff or volunteer mid-way through an investigation would not lead to the investigation being abandoned. Our policy is always to complete every investigation into allegations of child abuse.

## COMPROMISE AGREEMENTS

The policy at Mayfield Preparatory School is to follow the DfE guidance set out in “Safeguarding Children and Safer Recruitment in Education” on the use of compromise agreements in cases of child abuse which is:

*“Compromise agreements, by which a person agrees to resign, and a school... .. agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. In any case, such an agreement will not prevent a thorough police investigation where that is appropriate. Nor can it override the statutory duty to make a referral to List 99 [now the Barred List] where circumstances require it”*

## LENGTH OF INVESTIGATORY PROCESS

We recognise that everyone’s interests are served by completing any investigatory process as swiftly as possible. Mayfield Preparatory School is a small community and we will aim to spend as little time as is compatible with fair and impartial processes on the investigatory process. We would expect almost every case to be completed within one month.

## REFERRAL TO THE DISCLOSURE AND BARRING SERVICE (DBS)

The school is committed to promptly report to the DBS any person (whether employed, contracted, a volunteer or student) whose services are no longer used and the DBS referral criteria are met.

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. It is important that reports include as much evidence about the circumstances of the case as possible. ‘Compromise Agreements’ cannot apply in this connection, or where the individual refuses to cooperate with an investigation. Reports concerning members of staff or volunteers are normally made by the Headmaster, acting as DSL. If the Headmaster is involved, the Chair of Governors will be informed by another DSL (Susannah Palmer or Bev Higgins) and then the report is made by the Chair of Governors.

The referral form can be downloaded from the DBS website on (<https://www.gov.uk/government/organisations/disclosure-and-barring-service>). The school plays no

part in the subsequent process of barring individuals from working with children and/or vulnerable adults. We also have a legal duty to respond to any requests from the DBS for information that we hold already, but we do not have to find it from other sources..

## REFERRAL TO THE NATIONAL COLLEGE FOR TEACHING AND LEADERSHIP

As an independent school we are also under a duty to consider making a referral to the National College for Teaching and Leadership [NCTL] where a teacher has been dismissed [or would have been dismissed had he/she not resigned] and a prohibition order may be appropriate. The reasons such an order would be considered are:

- Unacceptable professional conduct, or
- Conduct that may bring the profession into disrepute, or
- A conviction at any time for a relevant offence.

Where a referral has been made to the DBS, it may still be necessary for a referral also to be made to NCTL, as information is shared between the two bodies. Where a dismissal does not reach the threshold for DBS referral, separate consideration should be given to an NCTL referral.

## RECORDING ALLEGATIONS OF ABUSE

We will record all allegations of abuse, and our subsequent actions, including any disciplinary actions, on an individual's file. A copy will be given to the individual and he or she will be told that the record will be retained until he or she reaches statutory retirement age, or for ten years, if that is longer.

## ANONYMOUS ALLEGATIONS

If we are faced with an anonymous allegation of child abuse which names both a member of staff and a child, we will handle it in exactly the same way as if we knew the identity of the person making the allegation. We will report the matter to the LADO and be guided by them in our handling of the allegation. Where the allegation names the member of staff; but not the pupil, we will normally interview the member of staff, and ask for his or her version of events, unless the LADO has advised a different course of action. It could be appropriate to establish a mentoring or review programme for that individual, or to provide him or her with further training. A record would normally be kept.

## HANDLING UNFOUNDED OR UNSUBSTANTIATED ALLEGATIONS

### *The Child*

A child who has been the centre of unfounded or unsubstantiated allegations of child abuse needs professional help in dealing with the aftermath. We will liaise closely with the LSCB to set up a professional programme that best meets his or her needs, which may involve the Adolescent Mental Health Services and an Educational Psychologist, as well as support from the School Counsellor. We

shall be mindful of the possibility that the allegation of abuse was an act of displacement, masking abuse that is actually occurring within the child's own family and/or community.

However much support the child may need in such circumstances; we need to be sensitive to the possibility that the aftermath of an unfounded allegation of abuse may result in the irretrievable breakdown of the relationship with the teacher. In such circumstances, we may conclude that it is in the child's best interests to move to another school. We would do our best to help him/her to achieve as smooth a transition as possible, working closely with the parents or guardians.

### *The Member of Staff*

A member of staff could be left at the end of an unfounded or unsubstantiated allegation of child abuse with severely diminished self-esteem, feeling isolated and vulnerable, all too conscious that colleagues might shun him/her on the grounds of "no smoke without fire". If issues of professional competency are involved, and though acquitted of child abuse, disciplinary issues are raised; we recognise that he or she is likely to need both professional and emotional help. We will undertake to arrange a mentoring programme in such circumstances, together with professional counselling outside the school community. A short sabbatical or period of re-training may be appropriate.

## ALLEGATION OF ABUSE OF A CHILD WHO IS NOT A PUPIL AT THE SCHOOL

If we were given information that suggested that a member of staff was abusing a child who was not a pupil at Mayfield Preparatory School, we would immediately pass such information to the Local Safeguarding Children Board (LSCB) to handle. We would then interview the member of staff and formally advise him/her of the allegations, making it clear that the school would not play any part in the investigatory process. He or she would be advised of the possibility of facing suspension, re-assignment to other duties etc in exactly the same way as if the allegation had involved a school pupil. If the allegation subsequently proved to be unfounded, he or she would be given full support by the school in resuming his/her career.

## MALICIOUS ACCUSATIONS AGAINST STAFF

Allegations that are found to have been malicious should be removed from personnel records and any that are not substantiated, are unfounded or malicious should not be referred to in employer references.

Pupils that are found to have made malicious allegations are likely to have breached the school Behaviour Policy. The school will therefore consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion or referral to the police.

## ALLEGATIONS INVOLVING THE HEADMASTER OR DESIGNATED SAFEGUARDING LEAD

The Chair of Governors should be told at once by the Deputy Head, or Head of EYFS, who are also DSL of any allegation involving the Headmaster. She will immediately speak with the LADO, even for an informal chat without naming the school or the individual concerned. The Headmaster will

normally be suspended for the duration of the investigatory process, and the Deputy Head will be made acting Head until the conclusion of the investigation and resolution of the issue.

The Headmaster should similarly be told at once of any allegation involving a DSL. The LADO should be contacted immediately to discuss the matter. The Chair of Governors should normally be informed on the same day, and legal advice obtained. The DSL will normally be suspended for the duration of the investigatory process.

## Staff Code of Conduct

This code applies to all adults who work within the school in any capacity, paid or as a volunteer. Pupils are learning all of the time and it is therefore important that the example we set them is always of the highest calibre. Pupils will be watching you as you work and move around the school. They will copy you, and may talk about you to others outside of the school. We expect all adults to comply with this code of conduct at all times, within the school, or on visits on behalf of the school.

### When speaking to others, members of staff will

- use a positive statement rather than a negative one so that pupils can learn what we expect of them in any situation
- use a calm tone of voice at all times, to explain something to or instruct the pupils, so that they can follow our words without feeling threatened or uncomfortable
- avoid using sarcastic words or phrases as these demean pupils and prevent them from developing high self-esteem
- demonstrate through our conversations with pupils and adults, and by our responses, that racist or sexist language and attitudes are never acceptable
- speak respectfully to other adults at all times, even if we disagree with them.

### As professionals, members of staff will

- maintain confidentiality regarding other members of staff, governors, volunteers and visitors, and uphold standards both inside and outside school that will ensure that the school is not brought into disrepute
- avoid encouraging gossip about adults or pupils, and will take active steps to divert conversations away from this if we come across it
- maintain confidentiality about anything that we see or hear in the school, so that parents and pupils can trust us, and as a way of showing respect to our fellow professionals
- work as part of a team, contributing as well as learning from others and helping to build up a strong workforce so that we can provide the best possible learning opportunities for the pupils
- treat everyone with respect
- dress appropriately, so that we set a good example for the pupils and to show that we are here to work
- behave in a positive way despite any personal problems that we may have, especially in front of the pupils
- maintain professionalism and confidentiality if using social networking sites, e.g. Facebook, Twitter, etc. and under no circumstances interact privately with pupils or parents using social networking sites. Staff should not give their personal mobile phone numbers or email addresses to pupils, nor should they communicate with them by text message or personal email. If they need to speak to a pupil by telephone, they should use one of the school's telephones and email using the school system.

To uphold the statutory requirements of working with pupils, members of staff will

- work within the school's policies and practices, so that what we do is consistent with what has been agreed between all members of the staff and the governors
- follow the school's guidelines on dealing with the pupils, with particular regard to policies and practices about behaviour and discipline, and about when and how we are able to restrain or handle pupils
- keep up to date with the guidelines for child protection, know what to do and who to report to if anything occurs
- Record any injury to a pupil on an accident form, notify the pupil's Form Teacher and notify the Head or Deputy Head in the event of a serious injury to a pupil (*see First Aid Policy*)
- maintain confidentiality about pupils, their families, home circumstances, medical conditions, work, behaviour and progress.
- Staff must seek medical advice if they are taking medication which may affect their ability to care for children, and any staff medication must be securely stored at all times.

## Corporal Punishment

No corporal punishment of any sort will be administered or threatened to a pupil during any activity, whether or not within the school premises. This prohibition applies to all members of staff, including those who are acting *in loco parentis*, such as unpaid, volunteer supervisors.

The Education and Inspections Act 2006 introduced a statutory right for school staff to use "such force as is reasonable in the circumstances" to prevent a pupil from:

- Committing an offence or engaging in conduct that could be an offence;
- Causing injury to themselves or others;
- Damaging property;
- Prejudicing good order and discipline at the school.
- This power applies where the pupil is on school premises or any other place where the pupil is in the lawful control or charge of the school staff member. This would include school trips.
- All incidents involving the use of physical intervention should be recorded in writing and reported immediately to the Designated Safeguarding Lead/Headmaster who will decide what action to take and inform the parents of the child on the same day or as soon as reasonably practicable.

## Further Guidelines for Staff Awareness

Members of staff are advised against spending excessive amounts of time alone with one pupil away from other people. Pupils should not be detained alone for disciplinary purposes. Specific attention should be given to safeguarding arrangements where children are engaged in close one-to-one teaching, particularly in specialist music, SEN, Speech and sports provision, or administering first aid. Classroom doors should be left open where possible; every classroom door also has a window for monitoring purposes.

Physical contact with pupils can cause difficulties as actions can be misconstrued. It is therefore important for staff to be aware of this in their dealings with pupils. Where possible, a gap or barrier should be maintained between teacher and child at all times. Any physical contact should be the minimum required for care, instruction or restraint. (See *The Use Of Reasonable Force Guidelines*)

Any physical restraint is only permissible when a child is in imminent danger of inflicting an injury on himself/herself or on another, and then only as a last resort, when all efforts to diffuse the situation have failed. Another member of staff should, if possible, be present to act as a witness. All incidents of the use of physical restraint should be recorded in writing and reported immediately to the DSL/Headmaster who will decide what action to take and inform the parents of the child on the same day or as soon as reasonably practicable.

During an overnight stay on a residential trip, staff should not permit a pupil into their bedroom under any circumstances.

Staff should take care if pupils go to their home for any reason. There should always be at least one other adult or child present. Permission from the Headmaster should be sought first.

Staff should exercise caution when offering a lift to a pupil; where possible other pupils or staff should also be present. Permission from the Headmaster should be sought first.

Staff are reminded that suspicions of abuse by a colleague must be passed on. The identity of the member of Staff reporting suspicions of abuse by a colleague will remain confidential. Information to be passed on to the Head Teacher or Chair of Governors. (Refer to the policy on '*Procedures when a member of staff faces allegations of abuse*' for subsequent actions).

## Whistleblowing

Mayfield Preparatory School has a culture of safety and of raising concerns. The school has a culture of valuing staff and of reflective practice. There are procedures for reporting and handling concerns, provision for mediation and dispute resolution where necessary. Training and support are provided for staff. There is transparency and accountability in relation to how concerns are received and handled.

In circumstances giving rise to a whistleblowing allegation, staff should adhere to the school Whistleblowing Policy.

## Safeguarding Provisions

According to detailed provisions set out in *Keeping Children Safe in Education (September 2016)* (KCSIE) Mayfield Preparatory School will ensure that it:

- has a Safeguarding Policy and procedures in accordance with locally agreed inter-agency procedures and ensures that parents have an understanding of the responsibility placed on the school and staff for child protection. This policy is included in the parents' information pack, is available on the school website and on request;
- operates safe recruitment procedures in checking the suitability of staff and volunteers to work with children (including DBS checks and compliance with the Disclosure and Barring Service (DBS) and Independent School Standards Regulations);
- has arrangements to deal with Disqualification, including Disqualification by Association. Pursuant to Childcare (Disqualification) Regulations 2009. The school does not employ

- people who work in early years and relevant later years provision (such as under 8's in before or after school care) or to be directly concerned in their management if they or others in their household are "disqualified" pursuant to the regulations. Enquiries are made of current staff and conducted by means of a self declaration form. The relevant information will also be sought as part of pre-employment checks undertaken when appointing new staff;
- has arrangements to deal with allegations of abuse against a member of staff or volunteer or head teacher (see *Procedures when a member of staff faces allegations of abuse*). It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in an education setting is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation. The framework for managing cases of allegations of abuse against people who work with children is set out in *Keeping Children Safe in Education (September 2016) (KCSIE)* which provides detailed procedures on how allegations should be handled;
  - names the school's Designated Safeguarding Lead (DSL) as Matthew Draper (Headmaster), with status and authority to take responsibility for child protection matters, including within EYFS. In case of the Head's absence, Susannah Palmer (Deputy Head) is the Deputy DSL. In case of the Deputy DSL' absence, report to Bev Higgins (Head of Early Years Foundation Stage), who is also the DSL for EYFS. Staff in the EYFS should report to Bev Higgins;
  - requires the designated safeguarding leads to receive appropriate training (updated every 2 years) in child protection and inter-agency working and support for this role (in Walsall this is Level 2 Safeguarding Children training), including local inter-agency working protocols and training in the LSCB's approach to *Prevent* duties, and additional training such as e-safety, children in need, female genital mutilation, forced marriage, honour killings, radicalisation, cyberbullying, and mental health;
  - names June Aubrook as the nominated governor responsible for safeguarding, including within the Early Years Foundation Stage;
  - requires every member of staff (including temporary and supply staff and volunteers) and governing body knows the name of the designated safeguarding leads (Matthew Draper, Susannah Palmer and Bev Higgins) responsible for child protection and their role;
  - requires all staff, including temporary and voluntary staff, to receive Level 1 Safeguarding training in child protection (updated regularly at least every 3 years) in line with advice from the WSCB, including additional training such as e-safety, children in need, female genital mutilation, forced marriage, honour killings, radicalisation, cyberbullying, and mental health;
  - requires all staff, including temporary and voluntary staff, to receive training in the school's whistleblowing procedures;
  - requires all staff, including temporary and voluntary staff, to receive training in procedures when members of staff face allegations of abuse;
  - trains all staff to understand the safeguarding policy and procedures, and ensures that all staff have up to date knowledge of safeguarding issues. Training will enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:
    - significant changes in children's behaviour;
    - deterioration in children's general well-being;
    - unexplained bruising, marks or signs of possible abuse or neglect;
    - children's comments which give cause for concern;
    - any reasons to suspect neglect or abuse outside the setting, for example in the child's home; and/or
    - inappropriate behaviour displayed by other members of staff, or any other person

working with the children. For example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

- ensures that *Induction of new members of staff* procedures are implemented so that all new members of staff receive child protection training as soon as they start at the school if not before. All new staff, including temporary staff and volunteers, are provided with induction training that includes:
  - \* help in understanding roles and responsibilities;
  - \* information about emergency evacuation procedures;
  - \* safeguarding and child protection;
    1. The school's safeguarding policy;
    2. the staff Code of Conduct;
    3. the identity of the DSL (Matthew Draper), Deputy DSL (Susannah Palmer) and DSL in the EYFS (Bev Higgins);
    4. a copy of at least part 1 and Annex A of KCSIE (September 2016) and updated where appropriately;
    5. a copy of the school's Whistleblowing Policy;
  - \* the provider's equality policy;
  - \* health and safety issues.
- ensures that all staff read at least part 1 and Annex A of KCSIE (September 2016) and updated where appropriately. For staff who cannot read English, or at all, the school will take steps to ensure that they understand key information;
- requires that any deficiencies or weaknesses in child protection arrangements are remedied without delay;
- requires that the Governing Body ensures the job description of the designated safeguarding lead should include the key activities of the role, as per KCSIE Annex B including: that the DSL makes prompt contact with children's social care where there are concerns that a child may be in need of help or at risk and/or with the LADO in relation to allegations against someone working in the school and/or with the police if a criminal offence is suspected, links with the LSCB and keeps staff aware of child protection procedures; and cover 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. The school will make arrangements to ensure that designated safeguarding lead has sufficient time, funding, supervision and support to fulfil his or her child welfare and safeguarding responsibilities effectively.
- requires that the Governing Body undertakes an annual review of the school's safeguarding policies and procedures and of the efficiency with which the related duties have been discharged, including an update and review of procedures and their implementation, or more regularly if required. The DSL will work with the Governors on this. The Governors should also ensure that the school contributes to interagency working in line with *Working Together to Safeguard Children March 2015* through effective implementation of the safeguarding policy and procedures and good cooperation with local agencies. The implementation of these policy provisions will be checked through discussion with Governors and DSL, and by scrutiny of the relevant minutes. Minutes should therefore be sufficiently detailed to demonstrate both breadth and depth of the review;
- requires that the Governing Body should consider how children may be taught about safeguarding, including online, through the curriculum and PSHEE;
- requires that the Governing Body should ensure that staff have the skills, knowledge and understanding necessary to keep safe children who are looked after by a local authority. This

includes ensuring that staff have the information they need about the child's status, contact arrangements with parents, care arrangements and delegated authority to carers, and information available to the DSL;

- requires that if there has been a substantiated allegation against a member of staff, the school should work with the LADO to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future;
- requires all staff and volunteers understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the designated safeguarding leads responsible for child protection;
- notifies the appropriate LSCB if there is an unexplained absence of more than two days of a pupil who is on a child protection plan;
- develops effective links with relevant agencies and co-operate as required with their enquiries regarding child protection matters including attendance at case conferences;
- keeps written records of concerns about children, even where there is no need to refer the matter immediately and that all records are kept securely, separate from the main pupil file, and in locked locations. All written reports will be signed and dated in pen;
- obtains assurances 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 (for example, in another institution);
- reports to the Disclosure and Barring Service (DBS) in conjunction with the LADO, within one month of leaving the school any person (whether employed, contracted, a volunteer or student) whose services are no longer used because he/she is considered unsuitable to work with children;
- responds to requests from DBS for information we hold already, but do not have to find from other sources on new and existing referrals on or after 20<sup>th</sup> January 2009;
- consider making a referral to the National College for Teaching and Leadership (NCTL) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are: "unacceptable professional conduct", "conduct that may bring the profession into disrepute" or a "conviction, at any time, for a relevant offence".

## Preventing Radicalisation (Counter Terrorism and Security Act 2015)

The Counter-Terrorism and Security Act 2015 places a duty on schools to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty") and in so-doing have regard to guidance issued by the Secretary of State. The Prevent duty came into force on 1<sup>st</sup> July 2015. The Prevent duty is now incorporated into KCSIE.

## Disqualification, including by association

The school requires staff to comply with disqualification, including by association provisions pursuant to the Childcare Act 2006 and supporting Childcare (Disqualification) Regulations 2009. This rule will not only apply to employees, but also to volunteers, supply/agency staff, self-employed people (such as peripatetic music teachers or extra-curricular activity providers), staff of other organisations contracted to work at the school, governors, administrative, cleaning and maintenance staff.

The grounds for disqualification include, in summary,:

- 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 other 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 or conviction occurs, even before the person is formally included on the children's barred list.

The school has taken steps to:

- inform all existing staff and applicants for employment at the school of the legislation, including that they may be disqualified by association;
- Existing staff, and applicants, are asked to make a self-declaration whether they are, according to the grounds above, disqualified, including by association – staff will be reminded annually of their duties to disclose the relevant information;
- keep records, on the Single Central Register of all staff employed to work in the school and including the date disqualification checks were completed.

In taking steps to gather information, staff can be expected to disclose all their convictions and cautions including those which are spent but cannot be required to disclose spent convictions and cautions of those who live and work in their households

By definition, a person who is disqualified cannot lawfully do the work from 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 must be removed from the work from which they are or may be disqualified. There is no requirement automatically to suspend or dismiss all individuals found to be disqualified; there is scope in principle to redeploy them with other age groups or in other work from which they are not disqualified, subject to assessing the risks and taking advice from the LADO when appropriate.

The Schools will inform Ofsted where they are 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 for a waiver of disqualification, unless they are barred from working with children.

## Safeguarding Provisions in Early Years Foundation Stage

Mayfield Preparatory School will ensure that this Safeguarding Policy also applies to the Early Years Foundation Stage and, according to the following specific additional requirements, it will:

- designate Bev Higgins (Head of EYFS) to take lead responsibility for safeguarding children within the EYFS setting and liaising with LSCBs as appropriate;
- requires the designated safeguarding lead to receive appropriate training (updated every 2 years) in child protection and inter-agency working and support for this role (in Walsall this is Level 2 Safeguarding Children training);
- inform OFSTED of any allegations of serious harm or abuse by any person working or looking after children at the premises in the Early Years Foundation Stage (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 on the premises in the Early Years Foundation

Stage, and of the action taken in respect of these allegations and also consults with the LADO;

- inform OFSTED of the above (via ISI office) as soon as is reasonably practicable, but at the latest within 14 days. (Ofsted Registered number for Early Years: EY285706)
- require staff to seek medical advice if they are taking medication which may affect their ability to care for children, and require any staff medication to be securely stored at all times;
- require pupils, parents and staff to adhere to the school's Acceptable Use Policy of Mobile Phones, Cameras and Recording Devices.

## Child Abuse

The NSPCC defines child abuse as:

*“Child abuse is the term used when an adult harms a child or a young person under the age of 18.....Child abuse can take four forms, all of which can cause long term damage to a child: physical abuse, emotional abuse, neglect and child sexual abuse. Bullying and domestic violence are also forms of child abuse.”*

*“A child may be experiencing abuse if he or she is:*

*Frequently dirty, hungry or inadequately dressed*

*Left in unsafe situations, or without medical attention*

*Constantly “put down,” insulted, sworn at or humiliated*

*Seems afraid of parents or carers*

*Severely bruised or injured*

*Displays sexual behaviour which doesn't seem appropriate for their age*

*Growing up in a home where there is domestic violence*

*Living with parents or carers involved in serious drug or alcohol abuse”*

*“Remember, this list does not cover every child abuse possibility. You may have seen other things in the child's behaviour ie circumstances that worry you.”*

*“Abuse is always wrong and it is never the young person's fault.”*

## Categories of Abuse

(KCSIE, September 2016, DfE)

Definitions of abuse and neglect:

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, burning, scalding, poisoning, drowning, suffocating or otherwise causing physical harm to a child. It may also occur when a parent or carer feigns symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as Fabricated or Induced Illness (FII) or Munchausen Syndrome by proxy.

### **Emotional Abuse**

Emotional abuse is the persistent maltreatment of a child such to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children they are worthless and unloved, inadequate or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or "making fun" of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children.

These may include interactions that are beyond the child's developmental capacity, as well as overprotection and limitation of exploration, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone

### **Sexual Abuse**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.

They may also include non-contact activities, such as involving children looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

### **Neglect**

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs

## Signs of Abuse

The NSPCC lists some of the signs and behaviours which may indicate that a child is being abused:

- repeated minor injuries
- children who are dirty, smelly, poorly clothed or who appear underfed
- children who have lingering illnesses which are not attended to, deterioration in school work, or significant changes in behaviour, aggressive behaviour, severe tantrums
- an air of 'detachment' or 'don't care' attitude
- overly compliant behaviour
- a 'watchful attitude'
- sexually explicit behaviour (e.g. playing games and showing awareness which is inappropriate for the child's age), continual open masturbation, aggressive and inappropriate sex play
- a child who is reluctant to go home, or is kept away from school for no apparent reason
- does not trust adults, particularly those who are close
- 'tummy pains' with no medical reason
- eating problems, including over-eating, loss of appetite
- disturbed sleep, nightmares, bed wetting
- running away from home, suicide attempts
- self-inflicted wounds
- reverting to younger behaviour
- depression, withdrawal
- relationships between child and adults which are secretive and exclude others
- pregnancy

These signs are not evidence themselves; but may be a warning, particularly if a child exhibits several of them or a pattern emerges. It is important to remember that there may be other explanations for a child showing such signs. Abuse is not easy to diagnose, even for experts.

Staff must also be aware of the possibility of child on child abuse within the school or out of school. In such cases procedures outlined in the School's Behaviour, Anti-Bullying and Discipline, Sanctions and Exclusions Policies will be followed alongside those in this policy.

Staff must also be aware of further concerns, such as children who run away or go missing, extended school and off-site arrangements, disabled children, children and young people who abuse others or

children who may be at risk or have suffered from Female Genital Mutilation (FGM), Child Sexual Exploitation, forced marriage and honour-based violence, or radicalisation.

### **FURTHER SPECIFIC RISKS**

#### **Child Sexual Exploitation**

Child sexual exploitation (CSE) involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

The presence of any significant indicator for sexual exploitation should trigger a referral to children's social care. The significant indicators are:

- Having a relationship of concern with a controlling adult or young person (this may involve physical and/or emotional abuse and/or gang activity);
- Entering and/or leaving vehicles driven by unknown adults;
- Possessing unexplained amounts of money, expensive clothes or other items;
- Frequenting areas known for risky activities;
- Being groomed or abused via the Internet and mobile technology; and
- Having unexplained contact with hotels, taxi companies or fast food outlets.

Refer to Walsall Safeguarding Children Board procedures to consider completion of the screening tool and/or NWG risk assessment. [www.wlscb.org.uk](http://www.wlscb.org.uk)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/279511/step\\_by\\_step\\_guid\\_e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/279511/step_by_step_guid_e.pdf)

#### **Female Genital Mutilation**

Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM.

#### **Indicators**

There is a range of potential indicators that a girl may be at risk of FGM. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 16-17 of the

Multi-Agency Practice Guidelines, and Chapter 9 of those Guidelines (pp42-44) focuses on the role of schools and colleges.

If staff have a concern they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. When mandatory reporting commenced in October 2015 these procedures remained when dealing with concerns regarding the potential for FGM to take place. Where a teacher discovers that an act of FGM appears to have been carried out on a girl who is aged under 18, there is a statutory duty upon that individual to report it to the police.

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers, along with social workers and healthcare professionals, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies.

The Mandatory reporting duty commenced in October 2015. Once introduced, teachers must report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the school's designated safeguarding lead and involve children's social care as appropriate.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf)

### **Extended school and off-site arrangements**

Where extended school activities are provided by and managed by the school, our own Safeguarding Policy and procedures apply. If other organisations provide services or activities on our site the school will undertake checks to ensure that they provide adequate safeguarding arrangements.

When pupils attend off-site activities, including day and residential visits and work related activities, the school will ensure that the proprietors of the activity/venue operate safe practices to maintain the safety of our children/young people and liaise with investigating agencies in the locality relevant to where the concern has taken place.

### **Children Missing Education**

All children, regardless of their circumstances, are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area.

A child going missing from education is a potential indicator of abuse or neglect. School staff should follow the school's procedures for dealing with children that go missing from education, particularly

on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future.

Our school has in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions.

Our school will inform the local authority of any pupil who is going to be deleted from the admission register where they:

- \* have been taken out of school by their parents and are being educated outside the school system e.g. home education;
- \* have ceased to attend school and no longer live within reasonable distance of the school at which they are registered;
- \* have been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;
- \* are in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the school at the end of that period; or,
- \* have been permanently excluded.

### **Forced Marriage and Honour Based Violence**

A forced marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used. In the UK it is recognised as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights. Honour based violence can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Staff have been briefed on the indicators of possible forced marriage and honour based violence and will refer any concerns to the Designated Safeguarding Lead immediately

### **Disabled children**

When working with children with disabilities, practitioners need to be aware that additional possible indicators of abuse and/or neglect may also include:

- A bruise in a site that might not be of concern on an ambulant child such as the shin, might be of concern on a non-mobile child;
- Not getting enough help with feeding leading to malnourishment;
- Poor toileting arrangements;
- Lack of stimulation;
- Unjustified and/or excessive use of restraint;

- Rough handling, extreme behaviour modification such as deprivation of medication, food or clothing, disabling wheelchair batteries;
- Unwillingness to try to learn a child's means of communication;
- Ill-fitting equipment. for example callipers, sleep boards, inappropriate splinting;
- Misappropriation of a child's finances; or
- Inappropriate invasive procedures.

### Preventing Radicalisation

The Counter-Terrorism and Security Act, which received Royal Assent on 12 February 2015, places a duty on specified authorities, including local authorities and childcare, education and other children's services providers, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty").

The signs and symptoms of a young person being at risk of becoming radicalised are:-

- spending increasing time in the company of other suspected extremists;
- changing their style of dress or personal appearance to accord with the group;
- their day-to-day behaviour becoming increasingly centred around an extremist ideology, group or cause;
- loss of interest in other friends and activities not associated with the extremist ideology, group or cause;
- possession of material or symbols associated with an extremist cause (e.g. the swastika for far right groups);
- attempts to recruit others to the group/cause/ideology;
- communications with others that suggest identification with a group/cause/ideology.

The examples above are not exhaustive and vulnerability may manifest itself in other ways.

Since 2010, when the Government published the Prevent Strategy, there has been an awareness of the specific need to safeguard children, young people and families from violent extremism. There have been several occasions both locally and nationally in which extremist groups have attempted to radicalise vulnerable children and young people to hold extreme 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.

**Mayfield Preparatory School** values freedom of speech and the expression of beliefs / ideology as fundamental rights underpinning our society's values. Both pupils/students and teachers have the right to speak freely and voice their opinions. However, freedom comes with responsibility and free speech that is designed to manipulate the vulnerable or that leads to violence and harm of others goes against the moral principles in which freedom of speech is valued. Free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

The current threat from terrorism in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and

exploitation. **Mayfield Preparatory School** is clear that this exploitation and radicalisation should be viewed as a safeguarding concern.

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

Our school governors, the Head Teacher/Principal and the Designated Safeguarding Lead will assess the level of risk within the school and put actions in place to reduce that risk. Risk assessment may include consideration of the school's RE curriculum, SEND policy, assembly policy, the use of school premises by external agencies, integration of pupils by gender and SEN, anti-bullying policy and other issues specific to the school's profile, community and philosophy.

Our school has a Single Point of Contact (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism. The SPOC for **Mayfield Preparatory School** is **Matthew Draper (Headmaster)**. The responsibilities of the SPOC are described within the Walsall Radicalisation and Extremism guidance September 2015.

When any member of staff has concerns that a pupil may be at risk of radicalisation or involvement in terrorism, they should speak with the SPOC and to the Designated Safeguarding Lead if this is not the same person.

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

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/118194/channel-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118194/channel-guidance.pdf)

### **Children and young people who abuse others**

Children and young people who abuse others will be responded to in a way that meets their needs as well as protecting others within the school community through a multi-agency risk assessment. We will ensure that the needs of children and young people who abuse others will be considered separately from the needs of their victims.

Mayfield Preparatory School will communicate readily with LSCBs when a child or young person discloses abuse.

## Support for children

Mayfield Preparatory School will:

- establish and maintain an environment where children feel secure, are encouraged to talk, and are listened to;

- teach pupils about safeguarding issues and equip children with the skills needed to keep them safe;
- include opportunities in the curriculum and PSHEE for children to develop the skills they need to recognise and stay safe from abuse, and in ICT to be taught about e-safety and safeguarding when online;
- help children to adjust their behaviours in order to reduce risks and build resilience, including to radicalisation, with particular attention to the safe use of electronic equipment and the internet. Where possible, these practices should be age appropriate and delivered through a planned component of the curriculum. Children should understand the risks posed by adults or young people, who use the internet and social media to bully, groom, abuse or radicalise other people, especially children, young people and vulnerable adults. Internet safety will be integral to the school's ICT curriculum and can also be embedded in PSHE and SRE .The latest resources promoted by DfE can be found at:
  - The use of social media for on-line radicalisation
  - The UK Safer Internet Centre ([www.saferinternet.org.uk](http://www.saferinternet.org.uk))
  - CEOP's Thinkuknow website ([www.thinkuknow.co.uk](http://www.thinkuknow.co.uk));
  - let pupils know that there are adults in the school whom they can approach if they are worried, e.g. Form Teacher, Head of EYFS, Deputy Head, Headmaster or any other member of staff;
  - let pupils know that outside help is also available via:
    - The MASH in Walsall 0300 555 2866
    - ChildLine is a free confidential helpline for children and young people. Call any time on 0800 11 11, or look at their website at [www.childline.org.uk](http://www.childline.org.uk)
    - In an emergency, call the Police on Telephone 999 (01922 439136) or 112
    - The NSPCC have a contact line on 0808 800 5000 for children and young people. Their web site is [www.nspcc.org.uk/kidszone](http://www.nspcc.org.uk/kidszone).
    - Kidscape has helpful advice on [www.kidscape.org.uk](http://www.kidscape.org.uk)
    - Another helpful web site is [www.worriedneed2talk.org.uk](http://www.worriedneed2talk.org.uk)
    - The Samaritans can be called at any time on 08457 909090
- support pupils who have been abused in accordance with his/her agreed child protection plan;

Mayfield 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 blame. The school may be the only stable, secure and predictable element in the lives of children at risk. When at school their behaviour may be challenging and defiant or they may be withdrawn. Mayfield will endeavour to support the pupil through:

- The content of the curriculum.
- The school ethos which promotes a positive, supportive and secure environment and gives pupils a sense of being valued.

- The school behaviour policy which is aimed at supporting vulnerable pupils in the school.

The school will ensure that the pupil knows that some behaviour is unacceptable but they are valued and not to be blamed for any abuse which has occurred.

Liaison with other agencies that support the pupil such as social services, Child and Adult Mental Health Service, education welfare service and educational psychology service.

The school will ensure that, where a pupil on the child protection register leaves, their information is transferred to the new school immediately and that the child's social worker is informed.

Mayfield will follow the procedures set out by the LSCB and take account of guidance issued by the Department for Education (DfE).

### **Looked after children**

The school will ensure that staff have the skills, knowledge and understanding necessary to keep safe children who are looked after by a local authority, if the school has such children on the school roll. The school will ensure that the DSL has responsibility for their welfare and progress and has up-to-date assessment information from the relevant local authority, the most recent case plan and contact arrangements with parents, and delegated authority to carers.

Reviewed: October 2016

Review Date : October 2017

Head Teacher : Matthew Draper

Chair of Governors : June Aubrook

## Appendix 1: Local Safeguarding Contact details:

**WSCB, Multi Agency Safeguarding Hub (MASH):** 0300 555 2866 (weekdays 8.45am – 5.15pm) and 0300 555 2922 or 0300 555 2836 (evenings, weekends or bank holidays).

Carol Boughton, Head of Safeguarding (01922) 655848 \* [carol.boughton@walsall.gov.uk](mailto:carol.boughton@walsall.gov.uk)

**Tony McGregor** (manager at the Child Protection and Review Centre)

**Alan Hassall** (LADO) direct line: 01922 654040 mobile: 07432 422205

**Seona Baker** (Education Safeguarding Adviser) 01922 726981

The Hollies

10 Lichfield Road

Walsall

WS4 2DH

Tel : 01922 726981

Mob : 07951 819648

Fax : 01922 648258

[www.mywalsall.org](http://www.mywalsall.org) (full list of professionals)

### **Birmingham Safe Guarding**

**Information Advice Support Service (IASS)** on 0121 303 1888

E-mail: [IASScitywide@birmingham.gov.uk](mailto:IASScitywide@birmingham.gov.uk)

Outside normal office hours, contact the **Emergency Duty Team** on 0121 675 4806

**Staffordshire County Council's First Response Service:** Telephone: 0800 1313 126 Mob: 07773 792016

Open: Monday - Thursday 8:30am - 5:00pm, Friday 8:30am - 4:30pm

E-mail: [frstr@staffordshire.gov.uk](mailto:frstr@staffordshire.gov.uk)

**Emergency Duty Service:** (Out of Hours Service) Telephone: 0845 6042886 Mobile: 07815 492613

### **Sandwell Safeguarding**

Access Service (ACCESS) (Children's Social Care) on 0845 351 0131 (out of office hours is the same number)

### **Preventing Radicalisation**

For support and advice about extremism, the Local Authority *Prevent* lead is Bob Spencer ([Robert.Spencer@walsall.gov.uk](mailto:Robert.Spencer@walsall.gov.uk)), the local police force 0845 113 5000, the non-emergency police number 101 and the DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors: 020 7340 7264 and [counter-extremism@education.gsi.gov.uk](mailto:counter-extremism@education.gsi.gov.uk).

### **DBS disclosure service**

DBS customer services

PO Box 110

Liverpool

L69 3JD

Email: [customerservices@db.s.gsi.gov.uk](mailto:customerservices@db.s.gsi.gov.uk)

Disclosure helpline 0870 90 90 811

### **ISI**

Ground Floor

CAP House

9-12 Long Lane

London

EC1A 9HA

### **Ofsted**

Picadilly Gate

Store Street

Manchester

M1 2WD

Tel : 08456 404040

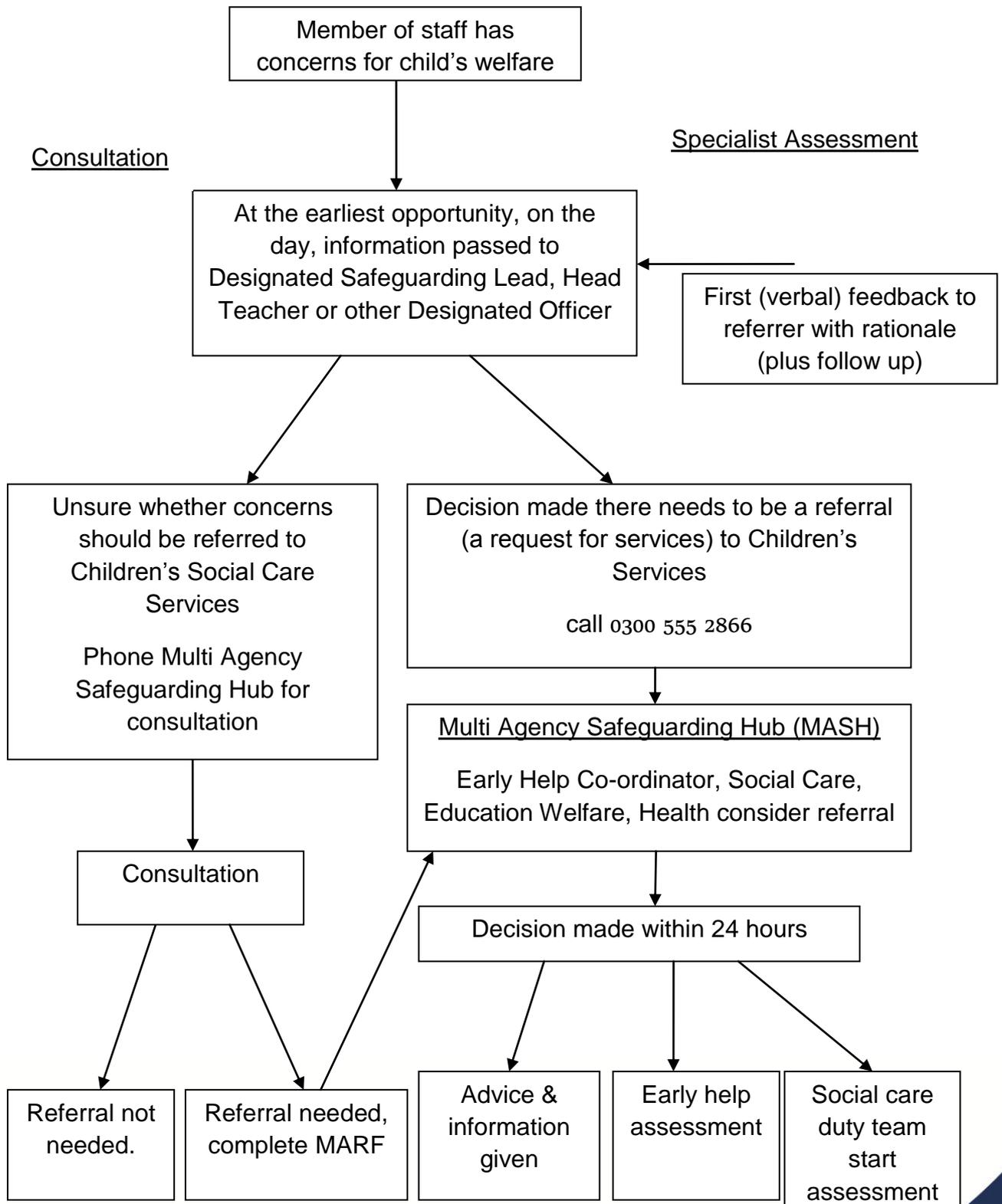
**Emergency: call Police on 999**



**Appendix 2 Flow Chart**

What to do if you have concerns that a child is being abused

Multi Agency Safeguarding Hub (MASH) in Walsall



## Appendix 3: Glossary of terms

Child – a young person under the age of 18 yrs

Child Protection Enquiry - A Child Protection Enquiry (usually referred to as a Section 47 Enquiry) is required if there are reasonable grounds to suspect that a child is suffering or is likely to suffer significant harm.

Child in need - a child is in **need** in law if: He or she is unlikely to achieve or maintain or to have the opportunity to achieve or maintain a reasonable standard of health or development without provision of services from the LA (Section 17 of the **Children Act 1989**).

Early Help Assessment - Providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years. Full Early Help guidance can be accessed via [www.mywalsall.org](http://www.mywalsall.org)

LADO – Local Authority Designated Officer - The Local Authority must appoint a Designated Officer (LADO) whose responsibility it is to be involved in the management and oversight of individual cases which fall within this procedure, providing advice and guidance to employers and voluntary organisations, liaising with the Police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistently, and with a thorough and fair process.

Designated Safeguarding Lead – each partner should have a designated safeguarding lead for safeguarding. Their role is to support other professionals in their agencies to recognise the needs of children, including rescue from possible abuse or neglect. Designated safeguarding roles should always be explicitly defined in job descriptions. DSLs should be given sufficient time, funding, supervision and support to fulfil their child welfare and safeguarding responsibilities effectively.

Significant Harm – The Children Act 1989 introduced Significant Harm as the threshold that justifies compulsory intervention in family life in the best interests of children.

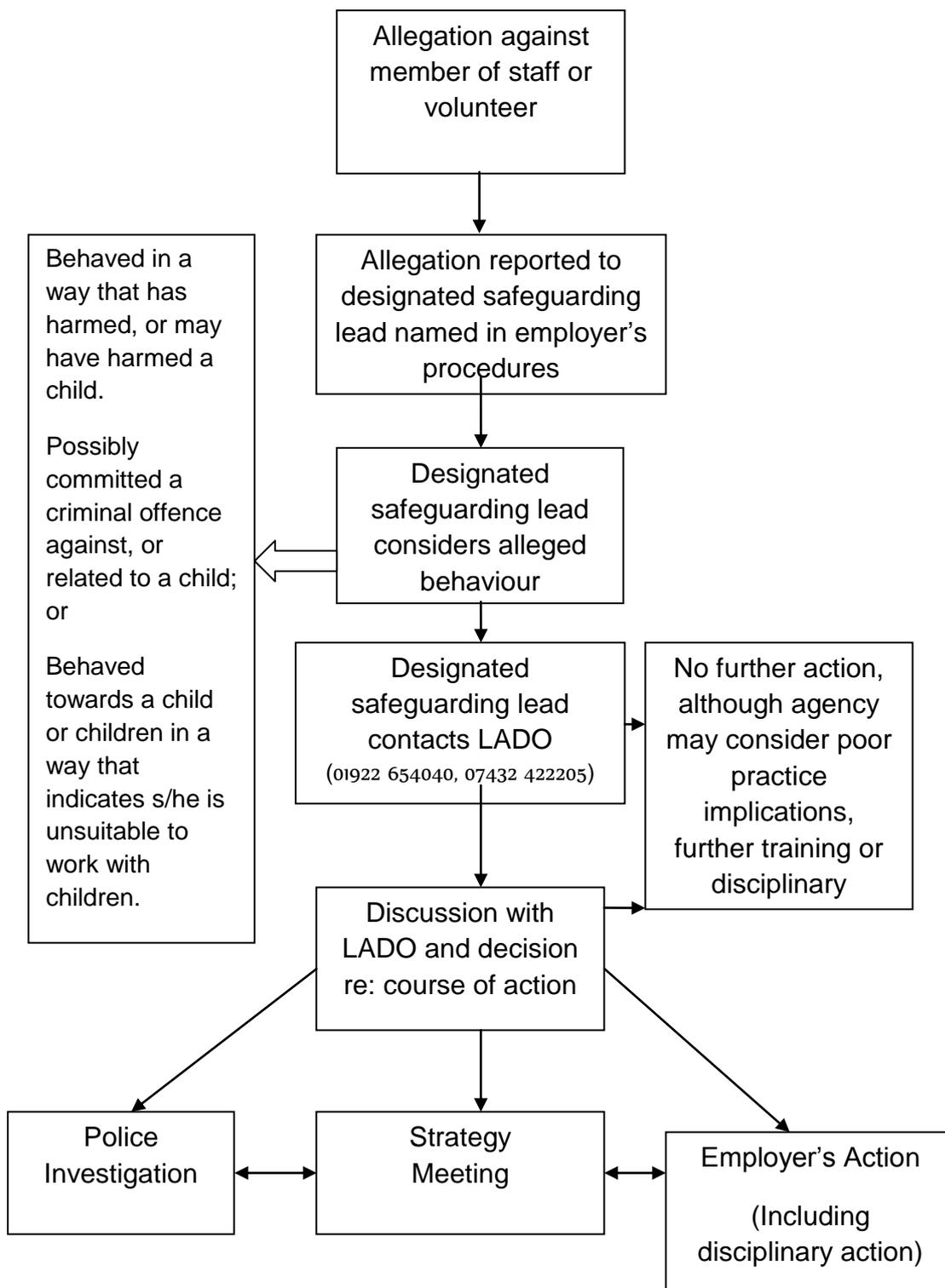
Significant Harm is any Physical, Sexual, or Emotional Abuse, Neglect, accident or injury that is sufficiently serious to adversely affect progress and enjoyment of life.

Harm is defined as the ill treatment or impairment of health and development. This definition was clarified in section 120 of the Adoption and Children Act.

Suspicions or allegations that a child is suffering or likely to suffer Significant Harm may result in a Core Assessment incorporating a Section 47 Enquiry.

There are no absolute criteria on which to rely when judging what constitutes significant harm. Sometimes a single violent episode may constitute significant harm but more often it is an accumulation of significant events, both acute and longstanding, which interrupt, damage or change the child's development.

Walsall Safeguarding Children Board (WSCB) - Safeguarding and promoting the welfare of children requires effective coordination in every local area. For this reason, the Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board. The WSCB must coordinate what is done by each person or body represented on the Board, for the purpose of safeguarding and promoting the welfare of children in the area of the authority, and ensure the effectiveness of what is done by each person or body for that purpose.



Assessment by Children’s Services e.g. s47 Child Protection Enquiry

LADO tracks progress, monitors outcomes and reports to LSCB and DfE



## APPENDIX 5:

# Staff Recruitment Policy and Procedure

## Introduction

Mayfield is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the School's Staff Recruitment Policy are as follows:

- 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 considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), *Safeguarding children and safer recruitment in education* (the Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- 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.

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

## Recruitment and selection procedure

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. A curriculum vitae will not be accepted in place of the completed application form.

Applicants will receive a job description and person specification for the role applied for. Application forms, job descriptions, person specifications and the School's Safeguarding Policy are available to download from the School's website and can be printed and forwarded to applicants on request.

The applicant may then be invited to attend a formal interview at which his / her relevant skills and experience will be discussed in more detail.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following prior to the start date of the appointment:

- where the position amounts to "regulated activity" (see section below) confirmation that the applicant is not named on the Barred List administered by the DBS\*; check that the applicant is not subject to a prohibition order issued by the Secretary of State;

- verification of the applicant's identity and address;
- verification of the applicant's right to work in the UK;
- satisfactory check of the applicant's qualifications;
  - applicant's self-declaration regarding disqualification by association;
- a check that the applicant is not on the Barred List;
  - the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
  - **Satisfactory Prohibition Order Checks including prohibition from leadership and management (s128 direction) where applicants will be in management positions.**
- verification of the applicant's medical fitness for the role (see section below);
  - overseas check, including EEA check, where appropriate;
- the receipt of at least two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory; the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment.

\*A check of the Barred List is not permitted if an individual will not be undertaking "regulated activity". Whether a position amounts to "regulated activity" must therefore be considered by the School in order to decide which DBS checks are appropriate.

### Pre-employment checks

In accordance with the recommendations set out in the Guidance, and the requirements of The Education (Independent School Standards) (England) Regulations 2014 the School carries out a number of pre-employment checks in respect of all prospective employees.

### Verification of right to work in the UK, qualifications, identity and address

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications as set out below and in the List of Valid Identity Documents at Appendix 1 (these requirements comply with DBS identity checking guidelines):

one document from Group 1; and

two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and

original documents confirming any educational and professional qualifications referred to in their application form.

Where an applicant claims to have changed his / her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he / she will be required to provide documentary evidence of the change.

The School asks for the date of birth of all applicants (and proof of this) in accordance with the Guidance. Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

The School asks for sight of original certificates of appropriate qualifications and retains copies to be stored safely and locked securely in the successful applicant's personnel file. The School must be satisfied with the validity and appropriateness of the applicant's qualifications for the post.

### EEA check

From 6 September 2016, in accordance with KCSIE 2016, the school will check for information about any teacher sanction or restriction that has been imposed by a professional regulating authority in the European Economic Area (EEA). This check is relevant to applicants for teaching posts in England who have taught in the EEA. It is applicable to both foreign nationals and UK nationals who have taught in the EEA. The school will carry out the check using the [NCTL Teacher Services](#) system. Only restrictions imposed on or after 18 January 2016 will be displayed.

### Criminal records check

**Due to the nature of the work, the School applies for an enhanced disclosure from the DBS in respect of all prospective staff members, governors and volunteers.**

Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at the School.

As of 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions which work as follows:

#### **For those aged 18 or over at the time of an offence**

An adult conviction will be removed from a DBS disclosure if:

11 years have elapsed since the date of conviction;

it is the person's only offence, and

it did not result in a custodial sentence.

It will not be removed under any circumstances if it appears on a list of "**specified offences**" which must always be disclosed. If a person has more than one offence on their criminal record, then details of all their convictions will always be included.

A caution received when a person was aged 18 or over will not be disclosed if six years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

#### **For those aged under 18 at the time of an offence**

A conviction will removed from a DBS disclosure if:

five and a half years have elapsed since the date of conviction; and

it is the person's only offence, and

it did not result in a custodial sentence.

Again, the conviction will not be removed under any circumstances if it appears on the list of "specified offences", or if a person has more than one offence on their criminal record.

A caution received when a person was aged under 18 will not be disclosed if two years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

### **The list of "specified offences" which must always be disclosed**

This contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record. The list of "specified offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

The School applies for an enhanced disclosure from the DBS and a check of the Barred List in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out a check of the Barred List is to identify whether an applicant is barred from working with children by inclusion on the Barred List maintained by the DBS. Any position undertaken at, or on behalf of, the School (whether paid or unpaid), will amount to "regulated activity" if it is carried out:

frequently, meaning once a week or more; or

overnight, meaning between 2am and 6am; or

satisfies the "period condition", meaning four times or more in a 30 day period; and

provides the opportunity for contact with children.

This definition will cover nearly all posts at the School. Limited exceptions could include an administrative post undertaken on a temporary basis in the School office outside of term time.

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances.

The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the School that the **original** disclosure certificate is provided to the School within two weeks of it being received by the applicant. Original certificates should not be sent by post. Applicants must instead bring the original certificate into the School within two weeks of it being received. A convenient time and date for doing so should be arranged with the Headmaster as soon as the certificate has been received. Applicants who are unable to attend at the School to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to the Headmaster. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

If there is a delay in receiving a DBS disclosure the Headmaster has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a clear check of the Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including a criminal records check from the relevant jurisdiction(s).

## Disqualification, including by association

The school will not knowingly employ people if they, or others in their household are disqualified from working with children. The latter signifies disqualification by association, pursuant to the Child Care Act 2006 and supporting Childcare (Disqualification) Regulations 2009. This rule will not only apply to employees, but also to volunteers, supply/agency staff, self-employed people (such as peripatetic music teachers or extra-curricular activity providers), staff of other organisations contracted to work at the school, governors, administrative, cleaning and maintenance staff.

The grounds for disqualification include, in summary,:

- 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 other 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 or conviction occurs, even before the person is formally included on the children's barred list.

During the recruitment process, the applicant will be asked to make a self-declaration that they are not disqualified from working with children according to the grounds detailed above. If they are unable to make such a declaration, then the school will not offer, or will withdraw an offer, of employment.

## Prohibition Orders

The School will check that the applicant is not subject to a prohibition order issued by the Secretary of State. The check is completed using the free Employer Online service.

## Prohibition from management of independent schools directions (also known as "section 128 directions")

The school will ensure that staff appointed to management positions after 12<sup>th</sup> August 2015, are subject to a s128 direction. For staff in regulated activity, the check is done via the DBS; a s128 direction would show on a DBS barred list check. The School must include on the DBS application form, within box 61, Position Applied for, "Child Workforce Independent School". This allows the DBS to confirm if a s128 direction has been made.

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

- Headteachers;
- All staff on the senior leadership team (including non-teaching staff);
- Teaching positions with departmental headship; and

The school will also ensure that governors appointed after the 12<sup>th</sup> August 2015 are subject to checks relating to prohibition from leadership and management. These checks will be done via the DBS or where this is not appropriate, via the NCTL.

## Overseas Checks

Where an applicant has lived overseas for three months or more in the last 5 years, if disclosure is not considered sufficient to establish suitability to work in a school (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 applicant's country of origin (or any other countries in which he or she has lived.) Applicants who are UK Nationals returning after working in a foreign country will be asked to obtain a certificate of good conduct or equivalent from the country in question. Extra references will be requested from countries which do not provide criminal record checks.

## Medical fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School. Each applicant must declare their medical fitness for the post on the application form, which is duly signed.

The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The School is aware of its duties under the Equality Act 2010, that employers may only ask health-related questions of applicants before the appointment is offered if the questions are specifically related to an intrinsic function of the work. The school may decide to ask necessary health questions after the appointment has been offered, ensuring that health-related questions are necessary and relevant to the post applied for. Any further medical information required should be sought with the person's permission. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

## References

References will usually be taken up on short listed candidates prior to interview. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, sickness and disciplinary record;

whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious; and

whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated, unfounded or malicious.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

### Contractors and agency staff

Contractors engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.

The School will independently verify the identity of staff supplied by contractors or an agency in accordance with section above.

### Visiting Speakers

Following Prevent guidelines, background checks will be made on visiting speakers, which include ID checks, references from present or past employers, and criminal records check if provided by the individual or their employer. Visiting Speakers will also be directly supervised by a member of staff at all times when they are in contact with school pupils.

### Policy on 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. The School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record, this will not automatically bar him / her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except for those to which the DBS filtering rules apply (see paragraph above). A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, 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.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the Police and / or the DBS if:

- it receives an application from a barred person;
- it is provided with false information in, or in support of an applicant's application; or
- it has serious concerns about an applicant's suitability to work with children.

## Assessment criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

whether the conviction or other matter revealed is relevant to the position in question;

the seriousness of any offence or other matter revealed;

the length of time since the offence or other matter occurred;

whether the applicant has a pattern of offending behaviour or other relevant matters;

whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and

the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences:

murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or

serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

## Assessment procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headmaster before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, he / she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School will, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

## Retention and security of disclosure information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so.

In particular, the School will:

store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's senior management team;

not retain disclosure information or any associated correspondence for longer than is necessary, and for a maximum of six months. The School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;

ensure that any disclosure information is destroyed by suitably secure means such as shredding; and prohibit the photocopying or scanning of any disclosure information.

### Retention of records

If an applicant is appointed, the School will retain any relevant information provided on his / her application form (together with any attachments) on his / her personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.

### Queries

If an applicant has any queries on how to complete the application form or any other matter he / she should contact the Headmaster.

## APPENDIX 6

### List of Valid Identity Documents

#### Group 1 – Primary Trusted Identity Credentials

- Current valid Passport
- Biometric Residence Permit (UK)
- Current Driving Licence (Full or provisional) (UK/Isle of Man /Channel Islands;

Photo card with the associated counterpart licence; except Jersey)

- Birth Certificate (UK & Channel Islands) - issued at the time of birth (within 42 days of date of birth);

Full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces

#### Group 2a – Trusted Government/State Issued Documents

- Current UK Driving licence (old style paper version)
- Current Non-UK driving licence (valid for up to 12 months from the date the applicant entered the UK)
- Birth Certificate (UK and Channel Islands) – issued at any time after the date of birth by the General Registrar Office/ relevant authority i.e. Registrars).
- Marriage/Civil Partnership Certificate (UK and Channel Islands)
- Adoption Certificate (UK and Channel Islands)
- HM Forces ID Card (UK)
- Fire Arms Licence (UK and Channel Islands)

#### Group 2b – Financial/Social History Documents

- Mortgage Statement (UK or EEA)\*\*
- Bank/Building Society Statement (UK and Channel Islands or EEA)\*
- Bank/Building Society Account Opening Confirmation Letter (UK)
- Credit Card Statement (UK or EEA)\*
- Financial Statement \*\* - e.g. pension, endowment, ISA (UK)
- P45/P60 Statement \*\*(UK & Channel Islands)
- Council Tax Statement (UK & Channel Islands) \*\*
- Work Permit/Visa (UK) (UK Residence Permit) \*\*
- Letter of sponsorship from future employment provider (Non UK/Non EEA only valid for applicants residing outside the UK at the time of application)
- Utility Bill (UK)\* – Not Mobile Telephone
- Benefit Statement\* - e.g. Child Allowance, Pension
- A document from Central/ Local Government/ Government Agency/ Local Authority giving entitlement (UK & Channel Islands)\*- e.g. from the Department for Work and Pensions, the Employment Service , Customs & Revenue, Job Centre, Job Centre Plus, Social Security
- EU National ID Card
- Cards carrying the PASS accreditation logo (UK)

- **Letter from Head or College Principal (UK) for 16-19 year olds in full time education. This is only used in exceptional circumstances if other documents cannot be provided.**

**Note:**

If a document in the List of Valid Identity Documents is:

denoted with \* - it should be less than three months old

denoted with \*\* - it should be less than 12 months old

not denoted – it can be more than 12 months old

