

Forest Way School

Child Protection Policy

Name: James Shanley

Signature: _____

Title: Chair of
Trustees/Directors

Date: November 2020

Next Review Date: November 2021



Yes Statutory

Non-Statutory

Index

Child Protection Policy – November 2020

Keeping Children Safe in Education – September 2020

Guidance for safer working practice for those working with children and young people in education setting – May 2019 (supplemented by the COVID-19 Addendum April 2020)

Recruitment and Selection of Staff – May 2020

Child Protection

Named staff and contacts

- Designated Safeguarding Lead: Gail Seaton - Headteacher
- Deputy Designated Safeguarding Lead/s:
 - Andrea Brown – Deputy Headteacher
 - Gaynor Donley-Williams – Deputy Headteacher
 - Ben Howard – Assistant Headteacher
 - Leanne Larder – Assistant Headteacher
 - Samantha Woodward – Assistant Headteacher
- Prevent Single Point of Contact (SPOC): Gail Seaton - Headteacher
- Designated Teacher for Children in Care: Andrea Brown– Deputy Headteacher
- Nominated Safeguarding Trustee/Director: James Shanley

Safeguarding and Performance Unit contacts:

Head of Service - Safeguarding and Performance Service

Kelda Claire 0116 3059084 / 07507686100

LADO / Allegations:

Kim Taylor/Lovona Brown 0116 305 7597

Safeguarding Development Officers:

Simon Genders 0116 305 7750

Ann Prideaux 0116 305 7317

First Response Children's Duty (Tier 4 Same-day referrals)

Telephone 0116 3050005
Email childrensduty@leics.gov.uk
Address First Response Children's Duty
Room 100b
County Hall
Championship Way
Glenfield
LE3 8RF

All other referrals including Early Help (Children & Family Wellbeing) Services

<http://lrsb.org.uk/childreport>

Early Help queries and Consultation Line 0116 3058727

1 Introduction

1.1 Forest Way School fully recognises the contribution it can make to protect children and support pupils in school. The aim of the policy is to safeguard and promote our pupils' welfare, safety and health by fostering an honest, open, caring and supportive climate. The pupils' welfare is of paramount importance.

1.2 This policy is consistent with:

- the legal duty to safeguard and promote the welfare of children, as described in section 175 of the Education Act 2002 [or section 157 of the Education Act 2002 for independent schools and academies] and the statutory guidance "*Keeping children safe in education – Statutory guidance for schools and colleges*", September 2020, "*Working Together to Safeguard Children*", 2018 and "*Guidance for safer working practice for those working with children and young people in education setting – May 2019*".
- the Leicestershire and Rutland Safeguarding Children Partnership - Multi-Agency Safeguarding Arrangements

1.3 There are four main elements to our Safeguarding / Child Protection Policy:

- **Prevention** (e.g. positive school atmosphere, teaching and pastoral support to pupils, safer recruitment procedures);
- **Protection** (by following agreed procedures, ensuring staff are trained and supported to respond appropriately and sensitively to Child Protection concerns);
- **Support** (to pupils and school staff and to children who may have been harmed or abused);
- **Working with parents** (to ensure appropriate communications and actions are undertaken).

1.4 This policy applies to all staff, volunteers, Trustee/Director's and visitors to the school. We recognise that child protection is the responsibility of all adults in school. We will ensure that all parents and other working partners are aware of our child protection policy by mentioning it in our school prospectus, displaying appropriate information in our reception and on the school website and by raising awareness at meetings with parents as appropriate.

1.5 **Extended school activities**

Where the Trustee/Director's provides services or activities directly under the supervision or management of school staff, the school's arrangements for child protection will apply. Where services or activities are provided separately by another body, the Trustee/Director's will seek assurance in writing that the body concerned has appropriate policies and procedures in place to safeguard and protect children and that there are arrangements to liaise with the school on these matters where appropriate.

2 Safeguarding Commitment

2.1 For the purpose of this policy, safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment;
- Preventing impairment of children's mental and physical 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.

2.2 The school adopts an open and accepting attitude towards children as part of its responsibility for pastoral care. Staff encourage children and parents to feel free to talk about any concerns and to see school as a safe place when there are difficulties. Children's worries and fears will be taken seriously and children are encouraged to seek help from members of staff.

2.3 Our school will therefore:

- Establish and maintain an ethos where children feel secure and are encouraged to talk, and are listened to;
- Ensure that children know that there are adults in the school whom they can approach if they are worried or are in difficulty;
- Include in the curriculum activities and opportunities for PSHE/Citizenship/Relationships Education, Relationships and Sex Education and Health Education which equip children with the skills they need to stay safe from abuse (including online and other contexts children are in), and to know to whom they can turn for help;
- Ensure every effort is made to establish effective working relationships with parents and colleagues from other agencies;
- Operate safer recruitment procedures and make sure that all appropriate checks are carried out and recorded on the single central record for new staff and volunteers who will work with children, including identity, right to work, enhanced DBS criminal record and barred list (and overseas where needed), references, and prohibition from teaching or managing in schools (s.128) etc.

2.4 Safeguarding in the Curriculum

Children are taught about safeguarding in school. The following areas are among those addressed in PSHE and Relationships Education, Relationships and Sex Education and Health Education and in the wider curriculum:-

Bullying (including Cyberbullying)

Drugs, alcohol and substance misuse (including awareness of County Lines and the Criminal Exploitation of children where appropriate)

Online safety

The danger of meeting up with strangers

Fire and water safety

Road safety

Domestic Abuse

Healthy Relationships / Consent

(So called) Honour Based Abuse issues e.g. forced marriage, Female Genital Mutilation (FGM) (see Appendix 6),

Sexual exploitation of children (CSE), including online

Child criminal exploitation, including cybercrime

Preventing Extremism and Radicalisation (see Appendices 4 and 5)

3 Roles and Responsibilities

3.1 General

All adults working with or on behalf of children have a responsibility to safeguard and promote their welfare. This includes a responsibility to be alert to possible abuse and to record and report concerns to staff identified with child protection responsibilities within the school.

The names of the Designated Safeguarding Lead and Deputy Designated Safeguarding Leads for the current year are listed at the start of this document.

3.2 Governing Board

In accordance with the statutory guidance "Keeping children safe in education" September 2020, the Trustee/Director's will ensure that:-

- The school has its own child protection/safeguarding policy, procedures and training in place which are effective and comply with the law at all times. The policy is made available publicly.
- The school operates safer recruitment practices, including appropriate use of references and checks on new staff and volunteers. Furthermore, the Headteacher, nominated Trustee/Directors and other staff involved in the recruitment process have undertaken Safer Recruitment Training.
- There are procedures for dealing with safeguarding concerns and allegations of abuse against members of staff and volunteers (see Appendix 2).
- There is a senior member of the school's leadership team who is designated to take lead responsibility for dealing with child protection (the "Designated Safeguarding Lead") and there is always cover for this role with appropriate arrangements for before/after school and out of term time activities.
- The Designated Safeguarding Lead undertakes effective Local Authority training (in addition to basic child protection training) and this is refreshed every two years. In addition to this formal training, their knowledge and skills are updated at regular intervals (at least annually) using safeguarding briefings etc.
- The Headteacher, and all other staff and volunteers who work with children (including early years practitioners within any settings on the school site), undertake appropriate training which is regularly updated at least annually, and more comprehensively every three years in compliance with the Safeguarding Children Partnership protocol); and new staff and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities (including this policy, Part 1 of Keeping Children Safe in Education, the pupil behaviour policy and how to respond if children go missing). The Local Authority Induction leaflet, ("Safeguarding in Education Induction – Child Protection Information, Safer Working Practice") will be used as part of this induction and Annex A from "Keeping children safe in education" September 2020 is provided to all staff working directly with children.
- Any deficiencies or weaknesses brought to the attention of the Trustee/Director's will be rectified without delay.

- The Chair of Trustee/Directors (or, in the absence of a Chair, the Vice Chair) deals with any safeguarding concerns or allegations of abuse made against the Headteacher, in liaison with the Local Authority Allegations Manager (LADO).
- Effective policies and procedures are in place and updated annually including a behaviour "code of conduct" for staff and volunteers - "Guidance for Safer Working Practice for those who work with children in education settings May 2019" (supplemented by the COVID 19 Addendum April 2020. Information is provided to the Local Authority (on behalf of the Safeguarding Children Partnership) through the Safeguarding Annual Return.
- There is an individual member of the Trustee/Director's who will champion issues to do with safeguarding children and child protection within the school, liaise with the Designated Safeguarding Lead, and provide information and compliance/monitoring reports to the Trustee/Director's.
- The school contributes to inter-agency working in line with statutory guidance "Working Together to Safeguard Children" 2018 including providing a co-ordinated offer of Early Help for children who require this. This Early Help may be offered directly through school provision or via referral to an external support agency. Safeguarding arrangements take into account the procedures and practice of the local authority and the Leicestershire and Rutland Safeguarding Children Partnership.

3.3 Headteacher

The Headteacher of the school will ensure that:

- The policies and procedures adopted by the Trustee/Directors are effectively implemented and followed by all staff;
- Sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities, including taking part in strategy discussions and other inter-agency meetings, and contributing to the assessment of children;
- Allegations of abuse or concerns that a member of staff or adult working at school may pose a risk of harm to children or young people are notified to the Local Authority Designated Officer.
- All staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner. The NSPCC whistle blowing helpline number is also available (0800 028 0285).
- All staff are made aware that they have an individual responsibility to pass on safeguarding concerns and that if all else fails to report these directly to Children's Social Care (Children and Family Specialist Services) or the Police.

3.4 Designated Safeguarding Lead

The responsibilities of the Designated Safeguarding Lead are found in Annex B of "Keeping children safe in education" and include:

- Acting as a point of contact and the provision of information to the Safeguarding Children Partnership on safeguarding and child protection.
- Liaising with the headteacher about issues especially to do with ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- Liaising with the Trustee's/Director's and the Local Authority on any deficiencies brought to the attention of the Governing Board and how these should be rectified without delay.
- Management and referral of cases of suspected abuse to Specialist Services First Response Children's Duty (and/or Police where a crime may have been committed).
- Referral of cases to the Channel programme(through the local police Prevent Engagement Team) where there is a radicalisation concern.
- Acting as a source of support, advice and expertise within the school and liaising with staff on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral, by liaising with relevant agencies.
- To attend and contribute to child protection conferences and other multi-agency safeguarding meetings when required.
- Being alert to the specific needs of vulnerable children, especially those with a social worker, special educational needs, a disability and young carers and promote their educational outcomes by sharing relevant information with teachers and leaders about welfare, safeguarding and child protection issues.
- Ensuring each member of staff has access to and understands the school's safeguarding/child protection policy especially new or part-time staff who may work with different educational establishments;
- Ensuring all staff have induction training covering child protection, the pupil behaviour policy, children who go missing and staff behaviour. Staff will be trained to recognise, record and report any concerns immediately they arise and will be provided with Part 1 of "Keeping children safe in education" and Annex A to those working directly with children;
- Keeping detailed (signed and dated), accurate and secure written records of concerns, actions and referrals;
- Obtaining access to resources and effective training for all staff and attend refresher training courses every two years. Keep up to date with new developments in safeguarding by accessing briefings and journals at least annually.
- Where children leave the school, ensuring their child protection file is passed to the Designated Safeguarding Lead and signed for in the new school/college as soon as possible (best practice is in a face to face meeting) – this will be in advance of the pupil arriving where specific ongoing support is required.
- Maintaining and monitoring secure child protection records, including monitoring and acting upon individual concerns, patterns of concerns (e.g. children who repeatedly go

missing) or complaints, in accordance with the section on "Records, Monitoring and Transfer" below.

4 Records, Monitoring and Transfer

- 4.1 Well-kept records are essential to good child protection practice. All staff are clear about the need to record and report concerns about a child or children within the school within fifteen minutes. Records of concerns are written down, signed and dated and passed immediately to the Designated Safeguarding Lead (or a Deputy). The Designated Safeguarding Lead is responsible for such records and for deciding at what point these records should be shared with other agencies (in accordance with the Data Protection Act 2018 and GDPR principles).
- 4.2 Records relating to actual or alleged abuse or neglect are stored apart from normal pupil or staff records. Normal records sometimes have markers to show that there is sensitive material stored elsewhere. This is to protect individuals from accidental access to sensitive material by those who do not need to know.
- 4.3 Child protection records are stored securely, with access confined to specific staff, e.g. the Designated Safeguarding Lead (and relevant deputies) and the Headteacher.
- 4.4 Child protection records are reviewed regularly to check whether any action or updating is needed. This includes monitoring patterns of complaints or concerns about any individuals and ensuring these are acted upon. A case file chronology, summarizing case activity and significant events in the child's life, helps to enable effective monitoring. Any actions taken are clearly indicated.
- 4.5 When children transfer school their safeguarding records are also transferred. Safeguarding records will be transferred separately from other records and best practice is to pass these directly to a Designated Safeguarding Lead in the receiving school [*or 6th form / FE college*], with any necessary discussion or explanation and to obtain a signed and dated record of the transfer. Where a child needs specific ongoing support, relevant information will be transferred prior to the child arriving at their new school. In the event of a child moving out of area and a physical handover not being possible, then the most secure method should be found to send the confidential records to a named Designated Safeguarding Lead and a photocopy kept until receipt is confirmed. Files requested by other agencies e.g. Police are copied.

5 Support to pupils and school staff

- 5.1 **Support to pupils** (including those about whom there are mental health concerns)
Our school recognises that children who are abused or who witness violence may find it difficult to develop a sense of self-worth and view their lives in a positive way and that this is likely to adversely impact their mental health and emotional well-being. Children may be vulnerable because for instance, they have an allocated social worker, have a disability, are in care, a care-leaver or previously looked after, or are experiencing some form of neglect. It is therefore important that staff recognise that mental health concerns can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Staff are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. Where children have suffered abuse and neglect, or other potentially

traumatic adverse childhood experiences, this can have a lasting impact through childhood, adolescence and into adulthood. For such children school may be one of the few stable, secure and predictable components of their lives. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action will be taken, following this policy and speaking to the designated safeguarding lead or deputy. Our school seeks to remove any barriers that may exist in being able to recognise abuse or neglect in pupils with Special Educational Needs or a disability. We will seek to provide such children with the necessary support to build their self-esteem and confidence, helping them to secure the very best educational outcomes they are able to achieve. The context in which safeguarding incidents and/or behaviours occur, whether in school or within or outside the home (including online), will be considered by staff, particularly the DSL and Deputy DSLs. Any associated threats or risks will be included in assessments and relevant information included in referrals to Children's Social Care. General indicators of abuse and neglect (from Part 1 of the statutory guidance) are also included in Appendix 7 of this policy and further information about specific forms of abuse are contained within Appendix A of the statutory guidance, "Keeping Children Safe in Education 2020".

5.2 **Peer on Peer Abuse** - This school recognises that children sometimes display harmful behaviour themselves and that such incidents or allegations must be referred on for appropriate support and intervention. Such abuse is unacceptable and will not be tolerated or passed off as "banter" or "part of growing up". This abuse could for example include sexual violence and sexual harassment, "upskirting", initiation/hazing type violence, all forms of bullying, aggravated sexting and physical violence (eg hitting, kicking, shaking, biting, hair pulling etc) experienced by both boys and girls. However, girls are more likely to be the victims and boys perpetrators. There are different school and local authority or Safeguarding Children Partnership guidance's and policies which detail the school's procedures to address and minimise these concerns including:

- Pupil Behaviour Policy
- Anti-bullying Policy
- E-safety Policy
- Guidance for schools working with children who display harmful sexual behaviour (Leicestershire LA Guidance)
- DfE guidance 'Sexual violence and sexual harassment between children in schools and colleges' and Part 5 of 'Keeping children safe in education'

Where an incident has occurred or specific risks are identified, the details will be added to a safeguarding or behaviour record for the children concerned and an investigation conducted by the DSL or Headteacher. A written risk assessment will be undertaken by the DSL in order to minimise the risk of further harm and to ensure the safety of all staff and pupils. Parents or carers of the children involved will be informed as soon as it is appropriate to do so. Support will be offered to the alleged victim, the child or young person accused and any other children involved by different adults in school (to avoid a possible conflict of interest). A referral to any relevant outside agency will be made e.g. Police or Social Care. Detailed procedures are included in the linked school policies mentioned above.

5.3 **Sexting** - School will always respond if informed that children have been involved in 'sexting' (youth produced sexual imagery). The UK Council for Child Internet Safety (UKCCIS) guidance, "Sexting in schools and colleges: responding to incidents and safeguarding young people" will be used to guide the school's response on a case by case basis.

The key points being:-

- Inform the Headteacher/DSL as soon as possible
- Support the children involved as appropriate and in accordance with their best interests

- Inform all parents of involved children unless by doing so you put a child at risk
- Images will not be viewed by school staff
- If school is to deal with the matter, involve parents in ensuring the images are deleted
- If there is evidence of exploitation, blackmail or the deliberate targeting of a vulnerable student, inform the police

5.4 **Sexual violence and sexual harassment** – Sexual violence refers to sexual offences as described under the Sexual Offences Act 2003 including rape and sexual assault. Sexual harassment is 'unwanted conduct of a sexual nature' that can occur online and offline and may include sexual name-calling, taunting or "jokes" and physical behaviour, for example, deliberately brushing against someone or interfering with clothes. 'Upskirting' is also a criminal offence (under the Voyeurism (Offences) Act 2019) and typically involves taking a picture under a person's clothing (not necessarily a skirt) without them knowing in order to obtain sexual gratification or to cause humiliation, distress or alarm (anyone of any gender can be a victim). Evidence shows that girls, children with SEND and LGBT children are more likely to be the victims of sexual violence and harassment and boys are more likely to be the perpetrators. However, sexual violence and sexual harassment can occur between children of any gender.

Curriculum

- Planned PHSE and Relationships Education, Relationships and Sex Education and Health Education will include a number of safeguarding issues as set out in the DfE statutory guidance. This will be appropriate to pupils' age and stage of development. It will also be underpinned by the school's behaviour policy and pastoral support system.

Responding to an incident

- School will follow the DfE guidance, 'Sexual violence and sexual harassment between children in schools and colleges', May 2018.
- Relevant staff will liaise with the police, social care and parents as appropriate.
- Support will be offered to both the alleged victim(s) and child(ren) accused. Parents will be included in discussions about the format that this support will take.

5.5 **Children Missing (including absence from school)**– our school recognises the entitlement that all children have to education and will work closely with the local authority to share information about pupils who may be missing out on full time education or who go missing from education. The local authority will also be informed where children are to be removed from the school register a) to be educated outside the school system; b) for medical reasons; c) because they have ceased to attend; d) because they are in custody; d) because they have been permanently excluded. We also recognise that when children go missing this is a sign that they may have been targeted by perpetrators of Child Sexual Exploitation and/or drug related criminals (County Lines). Children may also be groomed into participating in other forms of criminal exploitation including cybercrime, serious violence and violent crime. Children who attend an alternative education provision or have an agreed reduced timetable are more likely to be vulnerable to these forms of exploitation.

5.6 **Child Sexual Exploitation (CSE) and Child Criminal Exploitation(CCE)** are forms of sexual abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic

to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point or are targeted by criminals involved in the illegal supply of drugs (County Lines) and serious violent crime. 'County Lines' involves drug networks or individuals exploiting children and young people into carrying drugs and money between cities, towns and villages. Serious violent crime can be associated with this form of criminal activity together with child sexual exploitation. Children may also be exploited into committing cybercrime or money laundering offences and organised criminal groups or individuals may exploit children and young people with enhanced computer skills to access digital networks and/or data for criminal and financial gain. Children with bank accounts may be persuaded to allow criminals to use their banking facilities to launder money. Criminal exploitation of children is a form of harm that can affect children in both a physical environment and online. Staff training includes raising awareness of these issues and any concerns are passed to the Designated Safeguarding Lead who will make a risk assessment and refer to Local Authority First Response Children's Duty if appropriate.

- 5.7 **So-called 'honour-based' abuse** encompasses crimes which have been committed to protect or defend the so-called "honour" of the family and/or the community, including Female Genital Mutilation (FGM) (see appendix 6), forced marriage, and practices such as breast ironing. All forms of so called Honour Based Abuse are abuse (regardless of the motivation) and concerns will be passed to the Designated Safeguarding Lead for onward referral as required.
- 5.8 **Private fostering arrangements** - Where a child under 16 (or 18 with a disability) is living with someone who is not their family or a close relative for 28 days or more, staff inform the Designated Safeguarding Lead so that a referral to Children's Social Care for a safety check, can be made. (A close relative includes step-parent, grandparents, uncle, aunt or sibling).
- 5.9 Complaints or concerns raised by parents or pupils will be taken seriously and followed up in accordance with the school's complaints process.
- 5.10 **Support for Staff**

As part of their duty to safeguard and promote the welfare of children and young people staff may hear information, either from the child/young person as part of a disclosure or from another adult, that will be upsetting. Where a member of staff is distressed as a result of dealing with a child protection concern, he/she should in the first instance speak to the Designated Safeguarding Lead about the support they require. The Designated Safeguarding Lead should seek to arrange the necessary support.

6 Working with parents/carers

The school will:

- Ensure that parents/carers have an understanding of the responsibility placed on the school and staff for child protection by setting out its obligations in the school prospectus.

- Undertake appropriate discussion with parents/carers and seek necessary consent prior to involvement of Children & Family Services (Children's Social Care) or another agency, unless to do so would place the child at risk of harm or compromise an investigation.

7 Other Relevant Policies

7.1 The Trustee/Director's statutory responsibility for safeguarding the welfare of children goes beyond simply child protection. The duty is to ensure that safeguarding permeates all activity and functions. This policy therefore complements and supports a range of other policies, for instance :

- Behaviour Management Policy
- Staff Code of Conduct ("Guidance for Safer working practice May 2019")
- Racist incidents
- Anti-Bullying (including Cyberbullying)
- Physical Interventions/Restraint (DfE Guidance's "Use of Reasonable Force" and "Screening, searching and confiscation")
- Special Educational Needs and Disability
- Trips and visits
- Work experience and extended work placements
- First aid and the administration of medicines
- Health and Safety
- Relationships Education, Relationships and Sex Education and Health Education
- Site Security
- Equal Opportunities
- Toileting/Intimate care
- E-safety
- Extended school activities

The above list is not exhaustive but when undertaking development or planning of any kind the school will consider the implications for safeguarding and promoting the welfare of children.

8 Recruitment and Selection of Staff (also see the Safer Recruitment policy)

8.1 The school's safer recruitment processes follow the statutory guidance: "*Keeping children safe in education September 2020, Part Three: Safer recruitment.*"

8.2 The school will provide all the relevant information in references for a member of staff about whom there have been safeguarding concerns i.e. about child protection / inappropriate conduct. Cases in which the conclusion of an allegation has been unsubstantiated, unfounded, false or malicious will not be included in employer references. A history of repeated safeguarding concerns or allegations which have all been found to be unsubstantiated, malicious etc. will also not be included in a reference.

8.3 The school has an open safeguarding ethos regularly addressing safeguarding responsibilities during staff meetings and fostering an ongoing culture of vigilance. All new staff and volunteers receive a safeguarding induction and are briefed on the code of conduct for adults working with children. The Leicestershire County Council induction leaflet is given to all staff and is the basis for the safeguarding induction.

- 8.4 In line with statutory requirements, every recruitment process for school staff will have at least one member (teacher/manager or Trustee/Director) who has undertaken safer recruitment training.
- 8.5 Staff and volunteers who provide early years or later years childcare and any managers of such childcare are covered by the disqualification regulations of the Childcare Act 2006 and are required to declare relevant information - see statutory guidance: Disqualification under the Childcare Act 2006 (lasted updated August 2018).

9 General Data Protection Regulation (GDPR)

- 9.1 In May 2018, the General Data Protection Regulation (GDPR) came into force and along with the Data Protection Act 2018 which superseded the previous version. Reference to this new legislation is including in this version of Keeping Children Safe in Education also with new guidance set out in information sharing (2018). Both these documents stress that neither GDPR nor the Data Protection Act 2018 prevents or limits the sharing of information to keep children safe. Paragraph 77 sets out the "Special Category Personal Data", which allows sharing information even without consent, in some circumstances.

'Data will be processed in line with the requirements and protections set out in the General Data Protection Regulation'

APPENDIX 1

PROCEDURE TO FOLLOW IN CASES OF POSSIBLE, ALLEGED OR SUSPECTED ABUSE, OR SERIOUS CAUSE FOR CONCERN ABOUT A CHILD

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A. General

- 1) The Leicestershire and Rutland Safeguarding Children Partnership Procedures contain the inter-agency processes, protocols and expectations for safeguarding children. (Available on the website www.lrsb.org.uk: The Designated Safeguarding Lead is expected to be familiar with these, particularly the indicators of abuse and neglect and the referral processes.
- 2) It is important that all parties act swiftly and avoid delays.
- 3) Any person may seek advice and guidance from the First Response Children's Duty Professionals Consultation Line, particularly if there is doubt about how to proceed. Any adult, whatever their role, can take action in his/her own right to ensure that an allegation or concern is investigated and can report to the investigating agencies.
- 4) A record, dated (including the day and time) and signed, must be made as to what has been alleged, noticed and reported, and kept securely and confidentially.

- 5) In many cases of concern there will be an expectation that there have already been positive steps taken to work with parents and relevant parties to help alleviate the concerns and effect an improvement for the child. This is appropriate where it is thought a child may be in need in some way, and require assessment to see whether additional support and services are required. An example might be where it is suspected a child may be the subject of neglect. In most cases the parents' knowledge and consent to the referral are expected, unless there is reason for this not being in the child's interest. However, there will be circumstances when informing the parent/carer of a referral might put the child at risk and/or undermine Police enquiries, and in individual cases, advice from Children's Social Care will need to be taken.

B. Individual Staff/Volunteers/Other Adults – main procedural steps

- 1) When a child makes a disclosure, or when concerns are received from other sources, do not investigate, ask leading questions, examine children, or promise confidentiality. Children making disclosures should be reassured and if possible at this stage should be informed what action will be taken next.
- 2) As soon as possible make a dated (including the day), timed and signed record of what has been disclosed or noticed, said or done and report to the Designated Safeguarding Lead in the school.
- 3) If the concern involves the conduct of a member of staff or volunteer, a visitor, a Trustee/Director, a trainee or another young person or child, the Headteacher must be informed.
- 4) If the safeguarding concern or allegation is about the Headteacher, the information should normally be passed to the Chair of Trustee/Directors (or other senior manager in a MAT) or failing that to the Local Authority Allegations Manager (LADO).
- 5) If this has not already been done, inform the child (or other party who has raised the concern) what action you have taken.

C. Designated Safeguarding Lead – main procedural steps

- 1) Begin an individual case file for each child involved which will hold a record of communications and actions to be stored securely (see section on Records, Monitoring and Transfer). Include a chronology of case activity.
- 2) Where initial enquiries do not justify a referral to the investigating agencies, inform the initiating adult and monitor the situation. If in doubt, seek advice from the First Response professional's consultation line.
- 3) Share information confidentially with those who need to know.
- 4) Where there is a child protection concern requiring immediate, same day, intervention from Children's Social Care, the First Response Children's Duty should be contacted by phone (contact the local authority Children's Services where the child lives). Written confirmation should be made within 24 hours on the Multi-Agency Referral Form to Children's Social Care. All other referrals should be made using the online form (see link <http://lrsb.org.uk/childreport>).
- 5) If the concern is about children using harmful sexual behaviour, also refer to the separate guidance, "Guidance for schools working with children who display harmful sexual behaviour" (Leicestershire LA Guidance).

- 6) If it appears that urgent medical attention is required arrange for the child to be taken to hospital (normally this means calling an ambulance) accompanied by a member of staff who must inform medical staff that non-accidental injury is suspected. Parents must be informed that the child has been taken to hospital.
- 7) Exceptional circumstances: If it is feared that the child might be at immediate risk on leaving school, take advice from the First Response Professionals Consultation line (for instance about difficulties if the school day has ended, or on whether to contact the police). Remain with the child until the Social Worker takes responsibility. If in these circumstances a parent arrives to collect the child, the member of staff has no right to withhold the child, unless there are current legal restrictions in force (e.g. a restraining order). If there are clear signs of physical risk or threat, First Response Children's Duty should be updated and the Police should be contacted immediately.

APPENDIX 2

PROCESS FOR DEALING WITH SAFEGUARDING CONCERNS OR ALLEGATIONS AGAINST STAFF (INCLUDING HEADTEACHERS), SUPPLY TEACHERS AND VOLUNTEERS

These procedures should be followed in all cases in which there is an allegation or safeguarding concern that a person working with children has:

- behaved in a way that 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 that indicates he or she would pose a risk of harm to children: or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Relevant documents:

- DfE "Keeping children safe in education: Statutory guidance for schools and colleges" September 2020 (part 4: Allegations of abuse made against teachers and other staff including supply teachers and volunteers)

1) Individual Staff/Volunteers/Other Adults who receive the allegation:

- i. Write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Report immediately to the Headteacher.
- iii. Pass on the written record.
- iv. If the allegation or safeguarding concern is about the conduct of the Headteacher, report immediately to the Chair of Trustee/Directors. Pass on the written record. (If there is difficulty reporting to the Chair of Trustee/Directors, contact the Allegations Manager (LADO), Safeguarding and Performance Unit as soon as possible.)

2) Headteacher (or Chair of Governors)

- i. If there is no written record, write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Before taking further action notify and seek advice from the Allegations Manager (LADO), Safeguarding and Improvement Unit on the same day.
- iii. You may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation at this stage.
- iv. Report to First Response Children's Duty if the Allegations Manager (LADO) so advises or if circumstances require a referral concerning a child.
- v. Ongoing involvement in cases:
 - Liaison with the Allegations Manager (LADO)
 - Co-operation with the investigating agency's enquiries as appropriate including working closely with the employment agency in the case of supply teachers.
 - Consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.
 - Possible referral to the DBS or The Teaching Regulation Agency, depending on the outcome.

APPENDIX 3

Early Years Foundation Stage (EYFS) Policy for the use of Cameras and Mobile Phones

To ensure the safety and welfare of the children in our care this policy outlines the protocol for the use of personal mobile phones and cameras in the school, including the grounds and by all staff, pupils and visitors.

- All staff must ensure that their mobile phones or other digital equipment, personal cameras and recording devices are stored securely during working hours on school premises or when on outings or used strictly under the acceptable use policy. (This includes visitors, volunteers and students)
- Personal mobile phones must not be used in any teaching area in school or within toilet or changing areas
- Only school equipment should be used to record classroom activities. Photos should be put on the school system as soon as possible and not sent to or kept on personal devices
- During school outings nominated staff will have access to a school mobile which can be used for emergency or contact purposes
- All telephone contact with parents or carers must be made adhering to the school acceptable use policy or the school phone and a note kept
- Parents or carers are permitted to take photographs of their own children during a school production or event. The school protocol requires that photos of other people's children are not published on social networking sites such as Facebook.
- All visitors to Forest Way have their attention drawn to a notice in reception which requests that all personal mobile phones are switched off within our school.
- Post 16 pupils are allowed to have their mobile phones for listening to music and playing games, in their break times, in supervised designated areas. If they need to respond to texts, phone calls etc. this must be done under staff supervision.
- Any visiting pupils or students on work experience in the school must leave their mobile phones switched off in their bags.
- Any Forest Way pupil on work experience in the school, must leave their mobile phone in their locker.

APPENDIX 4

Safeguarding pupils who are vulnerable to extremism and radicalisation

Our school recognises the duties placed on us by the Counter Terrorism Bill (July 2015) to prevent our pupils being drawn into terrorism.

These include:

- Assessing the risk of pupils being drawn into terrorism (see Appendix 5)
- Working in partnership with relevant agencies (including making referrals) under the Safeguarding Children Partnership procedures
- Appropriate staff training
- Appropriate online filtering

Our school is committed to actively promoting the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. The pupils are encouraged to develop and demonstrate skills and attitudes that will allow them to participate fully in and contribute positively to life in modern Britain.

There is a current threat from terrorism in the UK and this can include the exploitation of vulnerable young people, aiming to involve them in terrorism or to be active in supporting terrorism.

Our 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, Far Right / Neo Nazi / White Supremacist ideology etc. Concerns should be referred to the Single Point of Contact (SPOC) (usually a Designated Safeguarding Lead or Headteacher) who have local contact details for the Prevent Engagement Team (Police) and Channel referrals. They will also consider whether circumstances require Police to be contacted urgently.

APPENDIX 5

Radicalisation and Extremism Risk Assessment

School – Forest Way School

	Yes/No	Evidence
Does the school have a policy?	Yes	See Child Protection Policy updated September 2020
Does the school work with outside Agencies on radicalization and extremism e.g. Channel?	No	We haven't had any need yet
Have staff received appropriate training?	Yes	Training undertaken for new staff and refresher training for existing staff
Has the school got a trained Prevent lead?	Yes	DSL
Do staff know who to discuss concerns with?	Yes	See training records and evaluation forms from training sessions
Is suitable filtering of the internet in place?	Yes	
Do children know who to talk to about their concerns?	Yes	
Are there opportunities for children to learn about radicalization and extremism?	Yes	At an appropriate level for those whom it is appropriate
Have any cases been reported?	No	
Are individual pupils risk assessed?	Yes	If appropriate
What factors make the school community potentially vulnerable to being radicalized? (e.g. EDL local base, extreme religious views promoted locally, tensions between local communities, promotion of radical websites by some pupils/parents)		
<p>Comment on the school's community, locality and relevant history Forest Way School is a traditionally white, working class area but approximately a third come from out of catchment areas and represent a much wider sociological background. We have four practicing Muslims in the school but due to their severe learning disabilities/profound multiple disabilities, we consider them to be extremely low risk.</p>		

Risk evaluation	Low Medium High	Way Forward



Date completed 1 September 2020 Signed:-

Gail Seaton - Headteacher

APPENDIX 6

Female Genital Mutilation

Section 5B of the Female Genital Mutilation Act 2003 and section 74 of the Serious Crime Act 2015 places a mandatory duty on teachers along with social workers and healthcare professionals to report to the police where they discover that FGM appears to have been carried out on a girl under 18 or where a girl discloses that she has undergone FGM. The school's response to FGM will take into account the government guidance, "Multi-agency statutory guidance on female genital mutilation" updated October 2018. Staff will also follow the established safeguarding procedure by reporting any such concerns to the Designated Safeguarding Lead and a report must also be made to the Police.

There will be a considered safeguarding response towards any girl who is identified as being at risk of FGM (e.g. there is a known history of practising FGM in her family, community or country of origin) which may include sensitive conversations with the girl and her family, sharing information with professionals from other agencies and/or making a referral to Children's Social Care. If the risk of harm is imminent there are a number of emergency measures that can be taken including police protection, an FGM protection order and an Emergency Protection Order.

APPENDIX 7

Indicators of abuse and neglect

Abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

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

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

Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

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

APPENDIX 8

DBS Checks

The Trustee/Directors of Forest Way School agreed the following at their meeting on 12 May 2014.

Forest Way School will:-

- No longer carry out re-checking of existing staff every three years.
- Will carry out a check if a member of staff has had a break of more than three months service and are offered permanent employment at Forest Way School.
- New supply staff and volunteers will be checked and personally charged the current rate to obtain a DBS. They will be advised they can register with the Update Service at a cost of £13.00 per year, which will allow them portability of their DBS Certificate.
- Contractors no longer need to provide a DBS certificate, as their duties are classed as a non-regulated activity and not subject to a DBS check.
- New Trustee/Directors will be checked but we will no longer carry out re-checks every three years.
- Trustee/Directors agree there will be no expiry date for when they consider a DBS Certificate to be expired, unless the Headteacher receives information contrary to this.
- We will continue to accept DBS Certificates issued by Leicestershire, other Local Authorities and other Leicestershire school who have converted to Academy status.
- DBS Certificates will not be photocopied but will be recorded on to the school's Single Central Record.
- A Risk Assessment will be undertaken and kept on file if information is supplied on the DBS Certificate i.e. theft, motoring offences, etc.

Recruitment and Selection Policy

This policy was reviewed May 2020

PART OF THE CHILD PROTECTION POLICY

Purpose

All organisations employing adults to work with children and young people must have a consistent and thorough process of safer recruitment to ensure those recruited to undertake this work are suitable.

The purpose of this policy is to support Governing Bodies, Head Teachers and Principals in adopting appropriate mechanisms for safer recruitment and selection processes and to set out best practice, taking account of relevant legislation, the requirements of regulatory inspections and their commitment to Equality and Diversity and safer recruitment.

Employees must be properly examined for competency, experience, qualifications and appropriate attitudes in relation to work with vulnerable groups.

Scope

This policy is for the recruitment and appointment of all employees in Schools, Colleges and Academies, except appointments to the posts of Head Teachers and Principals, for which there is a separate procedure.

Please note for the purposes of this policy Schools/Colleges/Academies will be referred to as "Schools", and Headteacher/ Principal will be referred to as "Headteacher" from this point on.

Equality

Governing Bodies have a commitment to the principle of equal opportunity in employment and must welcome applications from a wide range of candidates, including those with criminal convictions.

A key aspect of this commitment to equality and diversity is the:

- Careful consideration of the publication(s) in which an advertisement is placed, to ensure that it reaches the local population as a whole;
- Provision of reasonable adjustments to ensure that those with a disability are not disadvantaged during the recruitment process;

All recruiters must be aware of the requirement to not discriminate during the recruitment and selection process and be mindful that an applicant can lodge a claim to an Employment Tribunal relating to discrimination at any stage of the process. To minimise risk, recruiters should ensure all elements of the recruitment process are suitable for, and accessible to all sectors of society. Consideration should be given to the following:

Language

The language used, orally or in writing, should:

- Be clear and unambiguous;
- Not contain any acronyms, abbreviations, etc.;
- Not make reference to an individual's personal circumstances e.g. childcare, family structure, as this could be discriminatory.
- Comply with relevant equality legislation, i.e. the Equality Act 2010.

Reasonable Adjustments

Reasonable adjustments must be put in place at all stages of the recruitment process for any candidate who has identified that they have a disability and require adjustments to be made to enable them to fully participate in the process. Such adjustments may include ensuring the interviewing room has a wheelchair ramp or providing a skills test printed in large font.

When considering making reasonable adjustments, the candidate should be consulted and advised well in advance of any adjustments made e.g. if additional time to complete a test or prepare a presentation is to be provided, the candidate may be required to attend the interview at an earlier time.

Criminal Convictions

Having a criminal record does not automatically bar a person from employment within a School and applicants should not be treated unfairly on the basis of previous convictions. Whilst a criminal record cannot be disregarded, the School must seek advice to ensure a fair and consistent approach to the recruitment process. Further advice is also available in the Rehabilitation of Offender's Policy.

Preparing to Advertise a Vacancy

Reviewing the Vacancy

Recruitment takes place either as a result of an existing post becoming vacant or the creation of a new post owing to changing needs. When a position becomes vacant, it is good practice to consider the following points:

- Is the post still required?
- Is the post affordable within both current and future budgets?
- Are the working hours/times/grade of the post still appropriate?
- If advertising for a part time position, do you need to state that the salary would be pro-rata?

Reviewing the Type of Contract

Consideration should be given to the type of appointment and contract that is required. It is important to discuss your contract requirements with your designated HR Officer to ensure the relevant contract type is advertised, the available options are as follows:

- **Permanent**

The most common type of employment with no specified end date (regardless of working pattern). An employee on a permanent contract will remain in position until such time as the employer or the **employee** no longer wish to work there or where a restructure/redundancy process is carried out.

- **Fixed Term**

A contract covering finite period of time with a specified end date. It is essential for employers to demonstrate that there are transparent, necessary and objective reasons for using a fixed- term contract and the reason should be clearly stated in the employee's contract of employment, e.g. to complete a specific piece of work or project. Failing to state a detailed and clear reason could have implications for ending the contract and on future restructurings and redundancy, further advice is also available in the fixed term guidance for Schools.

- **Casual/Supply Work**

Casual workers should only be used when there is a need to cover ad hoc periods of work or a one-off absence/event of up to one month.

- **Zero Hours**

A zero hours contract may be issued to an employee when the number of working hours required are not easily identifiable or where there isn't a constant demand for staff, for example, a zero hours contract can be used where there is a seasonal influx of work, which may then dissipate for the remaining part of the year. For further advice please contact your HR Adviser.

- **Agency / Third Party Organisation**

Schools must obtain written notification from any agency or third party organisation who are providing workers that they have carried out the necessary checks to enable an individual to work in School. This must include an enhanced DBS check with a barred list check, Right to Work in the UK checks and, if applicable, Disqualification by Association checks. See Service Provider letter on LTS ONLINE, a copy of the response should be attached to the school's Single Central record.

When an agency worker reports for work on the first day Schools **must** also check the ID of the individual to verify that they are the same person on whom the checks have been made.

Guidance on the rights of Agency Workers is available from GOV.UK website.

Preparing a Recruitment Plan

It is advisable at the start of the recruitment process that a realistic timetable is prepared.

The plan should include:

Timetabling & panel selection:

- Timetabling the process ensuring realistic timeframes including shortlisting and interview dates.
- Selecting the interview panel (including, if necessary, safeguarding training for a panel member/s)

Reviewing Job Description & Person Specification:

- Review the person specification, giving consideration to how you will measure these requirements when scoring during the shortlisting process.
- Review the current job description so that it meets the future demands of the school, that the wording is appropriate and requirements that are no longer appropriate are removed i.e. good attendance record, smart appearance, a specified number of years' experience. Ensure that the content of the role is clear to allow applicants to know about the job.
- The job description must state, **'As this job is designated as a 'regulated activity' an enhanced DBS with Barred list check is essential'**.
- Composing and agreeing job advertisement and publication/closing date, The job advert must state, **'As this job is designated as a 'regulated activity' an enhanced DBS check with Barred list check is essential;**

Agreement of information for applicants:

- Agreeing on what should be included in the job pack and if candidates are required to complete any additional information i.e. CVs
- Considering whether informal visits to the school will be allowed.
- Reviewing School's website

Short listing & Interview process:

- Agreeing short-listing criteria based on person specification;
- Agreeing who will be responsible for collating any application forms received and preparing and distributing the shortlisting packs to the interview panel.
- It is essential to take into account that as all school based posts are designated as a **'regulated activity'**, **two** references should be received prior to interview, for both external

and internal candidates.

- Choosing the interview venue (appropriate access for disabled applicants);
- Agreeing selection method and composing interview questions;
- Determine methods of inviting candidates to interview (ask about special arrangements/notify applicants of tests or presentations if relevant/include recruitment pack)
- Advise candidate to bring all relevant documentation.

The Recruitment Planner/Checklist (template on LTS Online) is designed to assist recruiters plan and follow their recruitment process.

Job Profile (Job Description/Person specification)

A well-constructed job description sets out the purpose of the job and the key responsibilities of the job holder. It forms the basis for the recruitment and selection process and is the key to ensuring that the right person with the right mix of knowledge and skills is appointed to the vacancy. The JD can be used to determine the selection criteria, help formulate interview questions, assist in devising selection techniques e.g. designing assessment activities, and enables decisions to be made about competing candidates. Its use also minimises the extent to which subjective judgements can be used in the selection process. Following appointment, it can be used to communicate expectations about performance to the new job holder.

Before recruiting to a new or existing position, it is important to invest time in gathering information about the nature of the job. The role should be reviewed and analysed to see whether changes are needed to the job description and/or person specification to meet both the current and future demands of the role and the organisation.

A template job description is available on LTS online.

The person specification is the key document for use in the shortlisting and selection process.

In general, person specifications should include details of:

- Qualifications, skills, abilities/competencies, knowledge and experience required for the post;

And;

- Personal qualities relevant to the job, such as ability to work as part of a team.

Person specifications **must not** include any reference to years of experience, attendance record, appearance or any other requirement that could be perceived as discriminatory.

The person specification states the essential and desirable criteria for selection. Increasingly such specifications are based on a set of competencies identified as necessary for the

performance of the job. All of the criteria must be measurable, as they will play a key role in the interview process. The weightings given to each criteria will be used by the interview panel as one of the factors to establish which of the candidates has the highest score. The list of essential criteria should be realistic (it is recommended that no more than 3 in each section, or approximately 12 items in total within the person specification are deemed essential) as all candidates selected for interview must meet them all. If there are too many essential criteria, the recruitment process can become unmanageable.

Weighting

The use of essential and desirable criteria on the person specification is a form of weighting system. The essential criteria are those which all those selected for interview must meet; the desirable criteria are those which, while not strictly necessary, would enhance job performance. Desirable criteria can be used to distinguish between candidates at the shortlisting stage and during the selection process. Assigning weightings from 5 (most important) to 1 (least important) to the desirable criteria can help panels assess applicants in an objective manner. If there is a large number of essential criteria, the interview panel may also find it helpful to apply individual weightings to them, for example, by assigning weightings from 5 (most important) to 1 (least important).

The recruiter should identify the importance of the ratings for both the essential and desirable criteria at the planning stage in preparation for shortlisting and must apply the weightings in relation to the needs of the job rather than by the recruiter's view of different applicants.

Evaluate the Job Profile

It is advised that all Non-Teaching jobs within Schools are evaluated irrespective of whether the job profile is for a new job or the original job profile has been changed following review, to determine the grading of the post.

Advertising the Job

The job advert shapes the first impression applicants have of the School and is an important tool when it comes to sending out the right message to the public about the culture of the School and the type of person needed.

The advert should include a strap line outlining the School's commitment to safeguarding and promoting the welfare of children and young people. A safeguarding strap line is just one of a number of deterrents built into the safer recruitment process. The aim is to send the message as early as possible in the process. It does not have to be elaborate and can be short and simple: **"Committed to Safeguarding Children and Young People."**

It is also a requirement to clearly state that the post holder will be subject to a DBS Disclosure check i.e. **"As a 'Regulated Activity' an enhanced DBS is essential for this post"**.

The advert should be placed in such a way that the best range of prospective candidates can access it and meet the aspiration to employ a workforce which best reflects the community the school serves.

Below are several options of where Schools can advertise their vacancy:

- Schools own website
- Eteach / TES
- Local press
- LCC Website – contact ESC helpdesk for further details
- Job Centre Plus – further information is available on the Job centre plus website
- Social media

Advertising for Overseas Workers only

This advert must run in the UK for 28 days, either continuously or in 2 stages, neither stage can be less than 7 days, you must be able to demonstrate that there are no suitable candidates in the UK. You must make sure that there are no suitable workers already living in the UK and there is a genuine vacancy. This is known as the 'resident labour market test.

If the post is categorised by the UK Visas and Immigrations (UKVI) as Tier 2 (General) ("Skilled Workers" e.g. teachers) please contact your HR Adviser prior to advertising, as the individual may require to be issued with a Certificate of Sponsorship before they are able to commence employment.

Schools must keep a copy of the advertisement as it appeared. This must be a clear copy showing the title and date of the publication and the closing date. If the advert does not show the name of the organisation, a copy of the invoice should be retained to prove that an advertisement was placed.

Academies may need to obtain a licence before they are able to sponsor an employee /worker from overseas. For further information can be found at the GOV.UK website.

Job Information

It is good practice when recruiting to make sure that the School website is up to date as this helps prospective applicants to gain a better understanding of the aims and ethos of the School they are applying to.

The job information pack should also contain the job profile (job description and person specification).

The information gathered by the application form is crucial to safer recruitment procedures and is also the basis for short-listing.

Finally, as the job is designated as a "**Regulated Activity**" it is essential that the information sent to candidates makes it clear that references will be sought in advance of the interview.

Closing Date

To get the maximum exposure for a vacancy you should consider what the appropriate timeframe is for the demographic you are trying to attract.

Recruitment Process

The Recruitment Panel

It is recommended that the recruitment panel should normally comprise of three members, at least one of whom has undertaken recruitment and selection training and at least one panel member must have received Safeguarding training. Please contact Safeguarding Unit if you require this training. All members of the panel should participate in every stage of the recruitment process. This includes producing the job pack. It is important to appoint a Chair of the panel, this doesn't necessary need to be the Head teacher or Chair of Governors.

Determining the Selection Process

After the closing date, the panel should receive a shortlisting pack via the agreed method which should consist of a copy of all the application forms, job description and personnel specification and the shortlisting grid, (shortlisting grid can found on LTS ONLINE) this will enable them to carry out the shortlisting exercise.

Use of a shortlisting grid promotes fairness and consistency whilst also providing an audit trail. All members of the interview panel must participate in the shortlisting process ensuring that all the applications have been completed, in accordance with safer recruitment requirements. Unless stated in the job pack any additional information sent with the application shouldn't be considered.

It is important to remember that prior to the shortlisting process and before any applications have been viewed, the panel should have identified the weighting values of the desirable and if necessary, the essential criteria ensuring that all candidates are assessed fairly and treated equally. Scoring must be applied consistently and results carefully recorded.

Although the interview is normally the main focus of the selection process, it will not normally provide all the information required in making an informed decision about a candidates suitability for the role. Therefore additional methods for analysing candidates should also be considered to enable applicants to demonstrate their competencies fully.

The method used to test candidates suitability should be appropriate to the duties of the job and designed in such a way that the opportunity is available for the candidate to demonstrate the suitability of their knowledge, skills and ability e.g. if an essential criteria of the post is "word processing skills", a means of checking this could be a practical test.

Gaps in employment history or other issues/concerns

When reviewing application form, the recruitment panel should identify any gaps in employment history. Where there are any issues or concern, these should be noted and taken up with the

candidate, normally during the interview.

Alongside obvious gaps, such as omissions or incomplete details on the application, recruiters should be alerted to other signs that may be a cause for concern e.g. frequent changes of employment that do not show any clear career progression or a move from high paid permanent employment to temporary or casual work, and explore these with the candidate during their interview.

It is good practice to compare the information provided by the applicant with the information contained in the references. Any inconsistencies should be explored with the candidate at interview.

The shortlisting grid should be completed and retained by the Chair of the panel. As the grid records the decisions made on each application, it will enable a clear explanation to be given if feedback is required.

Declaration of Criminal Conviction(s) at application stage

If an applicant declares at the application stage that they have a criminal conviction, they must provide this in writing in a sealed envelope. This envelope should remain un-opened until the end of the shortlisting process.

If the individual is short-listed, the chair of the panel should inform the other panel members of the content. If the panel decide that the conviction(s) is relevant further information should be sought from the candidate as described below and at the end of the interview.

Invitation to Interview

The letter inviting candidates for interview (see template letter) should detail the following:

- That the applicant has been selected to attend a recruitment process, giving the date and times of the interview.
- the interview process and any tests or assessments they will have to undergo;
- The requirement to bring relevant identification documentation on the interview day,
- Original documents proving photographic identity;
- Original documents verifying any qualifications deemed essential for the job;

Copies of documents provided by unsuccessful candidates must be destroyed after the selection process has been completed.

If a candidate is unable to attend for interview on the date specified, the panel has discretion to reschedule their interview date, if it is agreed that the candidate can attend at a later date, the interview panel **must** remain the same.

References

The purpose of a reference is to obtain objective and factual information about a candidate (such as current employment etc.) and an informed opinion of their suitability for the job measured against the person specification. References should be treated with caution and read very carefully and should always be sought and obtained directly from the referee. The information contained in a reference is vital in reaching a decision on whether to employ or not employ a candidate. The following principles should be followed:

- **MUST** not rely on references or testimonials provided by the candidate or on open references and testimonials e.g. addressed "To Whom It May Concern".
- References should not be accepted from family members, relatives, close friends or colleagues (where avoidable);
- For applicants who have not worked in paid employment or on a voluntary basis, a character reference should be sought from someone who is able to confirm (as well as possible) the applicant's suitability. This may be someone in authority e.g. head teacher, lecturer, and community leader. In the case of a school leaver, one of the referees ideally should be the Head Teacher of the last educational establishment they attended;
- If an applicant for a teaching post is not currently employed as a teacher, it is also advisable to check with the School at which they were most recently employed, to confirm details of their employment and their reason for leaving.
- Any information about past disciplinary action should be considered carefully when assessing the applicant's suitability for the post, including any information obtained from the Teaching Services Systems (prohibited list check).

For both external and internal candidates, two references should be sought prior to interview one of which should be from the current or most recent employer. A letter requesting a reference should include the position the candidate has applied for, a copy of template reference pro-forma and the job description and person specification for the role to assist with the completion of the reference. (Template reference request letters and proformas are located on LTS online)

It is advisable that a request for a reference states the following;

Please note that employees should have the right to view their personal records. Your reference should therefore not be marked "Confidential" as it may be inspected by the individual concerned if they are appointed and subsequently wish to view their personal file.

References should be received and checked by someone other than the panel to check for any issues. Any safeguarding issues should be notified to the Chair of the panel.

Any concerns about a reference should be taken up directly with the referee and if necessary with the candidate following the interview but before a full offer of appointment is made.

If references have been requested but have not been received two days before the interview, it is advisable that a verbal reference is obtained, however a full written reference is still required. It is advisable to keep details of the discussion and retained. The written reference(s) should be received before the offer of appointment is made.

Prohibited check (Teachers only)

Prohibition orders prevent a person from carrying out teaching in Schools and therefore such individuals must not be appointed to work as a teacher. Prohibition checks must be undertaken for all newly appointed teachers by Schools as part of the pre-employment check process preferably before inviting an applicant for interview. The checks are carried out using the Teacher Services' system which will also identify any existing prohibitions and sanctions made previously by the General Teaching Council. Such checks can provide information about any teacher's qualifications and whether they have passed their induction. This can be printed off this and put onto the successful candidate's personal file and destroyed for unsuccessful candidates.

From 18th January 2016, Schools can use the Teaching Services system to identify any restrictions imposed by the authorities in the European Economic Area (EEA). This check is in addition to the above check.

Restrictions imposed by another EEA country do not prevent an individual from teaching in England. However Schools should consider the applicants suitability and the circumstances leading to the restrictions. The Employer Access online explains how to get further information.

Teachers who have QTLS status should be checked with the Institute for Learning see www.iflac.uk.

Section 128 direction (Academies only)

A Section 128 direction (The independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014) prevents or restricts a person from participating in any management of an independent school, including academies and free schools. This includes both as an employee; a trustee of an academy or a governor or governing body that has any management responsibilities. A check can be carried out using the Teacher Services' system or via the DBS barred list check if it's a regulated activity. Please refer to your relevant HR Adviser for further guidance.

Interview preparation

It is important to remember that the candidate will be assessing the School and whether it is an organisation they wish to work for as well as the School assessing the candidate's suitability.

It is essential for the recruitment panel to meet prior to the interviews to agree the format of the interview process and to decide who will ask which questions. Agreement should be made

on how the panel will explore any gaps in employment history and any other concerns identified during shortlisting process.

It is advisable for the Chair of the panel to have information on the job e.g. salary details, holidays etc. in order to answer candidates' questions.

The chair of the panel is responsible for ensuring that arrangements are made for the smooth running of the interview process, including:

- All relevant documentation is prepared and distributed to panel members prior to interview;
- Suitability of the venue - taking into consideration any additional or special requirements such as access;
- Any car parking spaces, refreshments etc. are arranged;
- Arranging the checking of the candidates identification;
- Arranging checking and copying of documentation required at interview;
- The interview timetable allows sufficient time between interviews for;
 - ✓ Overruns;
 - ✓ Breaks;
 - ✓ Panel discussion.

Interview questions

Interview questions must be agreed in advance: each panel member must be aware of which questions they will be asking. Panel members must be careful not to ask leading questions or questions regarding an individual's personal circumstances e.g. child care, family structure as this could be discriminatory.

Questions should focus on a candidate's actual experience and how it relates to the role applied for with the answers being assessed against the criteria for the post. In addition, questions about a person's safeguarding knowledge, understanding, attitudes to and motives for working with children must be included. The sample safeguarding interview questions also suggest positive and negative indicators. It may be necessary for the panel to have scenario questions available in case a candidate hasn't had previous experience. Examples of interview questions can be found on LTS online)

The interview question grid can be used as a template to allow the panel to draft the interview questions and prepare model answers to enable them to demonstrate what criteria they have judged applicants against. Template interview question grids are located on LTS online)

Whilst it is important that all candidates are asked the same questions it is equally important that the panel is satisfied that it has gained enough information to assess how well the candidate meets the criteria and to reach an objective decision about the candidate's suitability to do the job. If the panel is not satisfied that the question has been answered fully or thinks that the candidate has misunderstood the question, it is acceptable to probe further by asking

supplementary questions. However, the interview panel must not prompt candidates. A detailed record of the candidate's responses must be kept.

The interview process

The Chair of the panel is responsible for ensuring that the interview is conducted fairly and all candidates are treated equally. The Chair should ensure that all panel members participate fully and the views of all panel members are considered.

Panel members should independently score each candidate and agree panel scores after each interview.

At the **start** of the interview, the Chair should:

- welcome each candidate;
- introduce the other panel members by name and job role;
- give an overview of the interview process
- explain that notes will be taken during the interview by the panel members;

At the **end** of the interview, the Chair should:

- give an opportunity for candidates to ask questions;
- give an indication of timescales for decision and feedback;
- Ensure that all the relevant documents have been received, e.g. qualifications. Right to work documentation must not be checked at this stage.

Appointment Process

When making the decision to appoint, all aspects of the selection process should be considered. As all candidates should have met the essential criteria, the successful candidate should be the person receiving the highest aggregated score.

Interview Panels should always appoint the best person for the position. If one candidate has clearly scored higher than others they should be selected.

Preferred Candidate

Once the panel have come to a decision of who to appoint the chair of the panel should contact the successful candidate as soon as possible after the decision has been made to advise them of the outcome. It is also helpful for the panel to decide on a reserve candidate in case the first candidate declines the job.

A provisional offer should be made to the successful candidate and not confirmed until all of the pre-employment checks are satisfactorily completed. It is at this stage that the successful applicant's right to work in the UK is established.

In addition, no offer of appointment should be made unless two written references have been received. The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should always be obtained and scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed.

On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.

The chair of the panel must make clear to the successful candidate other terms which the appointment is subject to pre-employment checks which include:

- satisfactory outcome of the medical questionnaire;
- a satisfactory DBS with a barred list check

It is good practice that all the other candidates be informed they have been unsuccessful and offered the opportunity of feedback. It is best practice to speak to unsuccessful applicants in person, but if the chair of the panel has been unable to reach a candidate, they should be written to advising them that they have been unsuccessful. A template letter to be sent to an unsuccessful candidate is located on LTS online).

Interview notes for all unsuccessful candidates must retain for a period of 6 months, in case they are required in connection with an Employment Tribunal claim or requested by a candidate under the Data Protection Act.

Pre-employment Checks

Pre-employment checks should be conducted on both newly appointed employees and internal candidates prior to commencement in post.

Safer Recruitment Checklist

The Safer Recruitment Checklist (template can located on LTS online) should be completed on receipt of the relevant documentation and saved on the individual personal file and recorded on the Single Central Record

Right to Work in the UK (Immigration Act 2016).

It is a criminal offence to employ someone who does not have the right to work in the UK. Successful candidates cannot commence employment until satisfactory documentary evidence has been provided and photocopies taken. If the successful candidate cannot fully demonstrate their right to work in the UK, their appointment to the post cannot be continued.

The Chair of the panel **must** make arrangements to check all original documentation for authenticity and record potential expiry dates. The documents required depend on the nationality of the individual; guidance on the requirements is available on LTS online (Right to Work in the UK Guidance and safer recruitment checklist). The photocopied documents should be signed and verified and dated by the individual who has seen the original documentation.

Additionally, further checks may be required for anyone who has lived or worked outside of the UK. This could include a letter of good conduct from the relevant embassy. A list of countries that undertake criminal record checks can be found on the home office website along with the address on where to request information.

The Department for Education has also issued guidance on the employment of overseas-trained teachers. This gives information on the requirements for overseas-trained teachers from the EEA to teach in England and the award of qualified teacher status for teachers in Australia, Canada, New Zealand and the United States of America.

Medical clearance;

All appointments are subject to satisfactory medical clearance which can be completed online on the Health Management portal. Once Occupational Health have actioned the questionnaire, schools will then receive the outcome directly which will either be a fit certificate or an appointment for the candidate to be seen by Occupational Health.

Disqualification by Association

As of 31 August 2018 the regulations on Disqualification by Association have been amended, there is no longer the requirement for schools to obtain information about offences of someone that is living or working in the same household as the member of staff.

Schools **MUST** make the appropriate checks to ensure that they are not employing anyone that is disqualified from working in a childcare setting with the relevant age group as below:

Staff are covered by this legislation if they are:

- employed and/or provide early years childcare (this covers the age range from birth until 1st September following a child's fifth birthday i.e. up to and including reception age);
- working in later years' provision (this covers children above reception age but who have not attained the age of 8)
- Anyone directly concerned with the management of childcare in points 1 and 2 above.

Staff Covered and Specific Settings;

1. Staff are covered by this legislation if they are employed and/or provide early years childcare (this covers the age range from birth until 1st September following a child's fifth birthday i.e. up to and including reception age);
2. Staff working in later years' childcare (this covers children above reception age but who have not attained the age of 8) in nursery, primary or secondary school settings. This does not include education or supervised activity for children above reception age during school hours for co-curricular learning activities i.e. school choirs, sports clubs)
3. Anyone directly concerned with the management of childcare in point 2 above.

Schools are required to check all staff and volunteers working in the above categories but can use their discretion to interpret this to include staff who may occasionally work in these categories.

The DfE states 'most staff who are only occasionally deployed and are not regularly required to work in a relevant setting will not automatically come within the scope of the Regulations'.

Criminal Convictions

The school must abide by relevant legislation including The Safeguarding of Vulnerable Groups Act 2006, The Protection of Children Act 1999, The Education Act 2002, The Criminal Justice and Court Services Act 2000 (amended 2003), The Care Standards Act 2000 and The Protection of Vulnerable Adults Act (July 2004), in respect of those it employs in areas where they have contact with or access to children and/or vulnerable adults.

It is an offence for the school to employ anyone who has been barred by the Disclosure and Barring Service (previously Criminal Records Bureau and Independent Safeguarding Authority) from working with children.

DBS Checks (previously CRB checks)

Job adverts and job descriptions must state '**As this job is designated as a 'regulated activity' an enhanced DBS with a Barred list check is essential.** A legal definition of a regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

It is vitally important that people deemed unsuitable to work in a regulated activity do not gain access to children. It is the schools duty to utilise robust procedures to prevent and deter such individuals from accessing the workforce providing services to children. Keeping Children Safe in Education (statutory guidance for schools and colleges) requires strict pre-employment checks to assess the suitability of an individual to work in a regulated activity.

Where there has been, prior to the appointment being made, a break in the employment of the prospective employee or volunteer for 3 months or more, they must apply for a new Enhanced DBS check and if applicable with barred list check. For further guidance see DBS Guidance for Schools and Academies.

Single Central Record

Schools must keep a single central record (for maintained schools: Schedule 2 of the School Staffing (England) Regulation 2009, and the School Staffing (England) Amendments Regulation 2013 for pupil referral units and for independents Schools (including academies and free schools: under the Education (Independent Schools Standards) (England) Regulations 2010, as amended by the Education (Independent Schools Standards) (England) (Amendments) Regulations 2012). A template SCR can be found on LTS ONLINE

The single central record must cover the following people:

- All staff (including supply staff) who work at the school: this means those providing education to children;

- All other who work in regular contact with children in school or college, including volunteer;
- For independent schools, including academies and free school, all members of the proprietor body.
- *'Data will be processed in line with the requirements and protections set out in the General Data Protection Regulation'*

Ofsted will check the School's single central record during their inspection with the expectation that it will meet at least the statutory requirements.

For maintained schools, in Schedule 2 to the School Staffing (England) Regulations 2009 and the School Staffing (England) Amendment Regulations 2013 for pupil referral units through the Education (Pupil Referral Units) (Application of Enactment) (England) Regulations 2007

For independent schools, (including academies and free schools and alternative provision academies and free schools), under the Education (Independent School Standards) Regulations 2014.

For colleges, in the Further Education (Providers of Education) (England) regulations 2006.

Keeping [Children](#) Safe in Education – September 2020

[Guidance](#) for safer working practice for those working with children and young people in education setting – May 2019 (supplemented by the [COVID](#)-19 Addendum April 2020)

