

Forest Way School

Child Protection Policy

Name: James Shanley

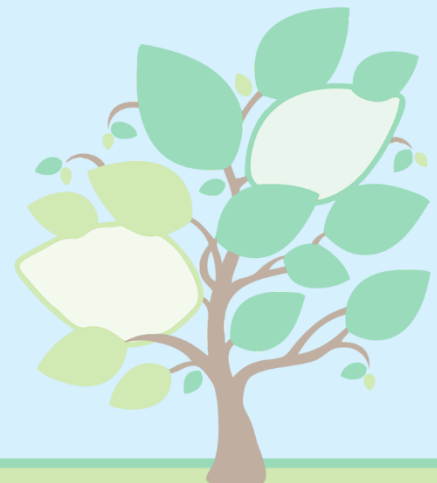
Signature:



Title: Chair of
Trustees/Directors

Date: September 2023

Next Review Date: September 2024



Yes Statutory

Non-Statutory

Index

Child Protection Policy – September 2023

Keeping Children Safe in Education – September 2023

Guidance for safer working practice for those working with children and young people in education setting – February 2022

Recruitment and Selection of Staff – September 2023

Recruitment of Ex-Offenders – September 2023

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

Child Protection

Named staff and contacts

- Designated Safeguarding Lead: Gail Seaton - Headteacher
- Deputy Designated Safeguarding Lead/s:
 - Sarah Wallace – Deputy Headteacher
 - Leanne Larder – Assistant Headteacher
 - Samantha Woodward – Assistant Headteacher
 - Jo Rayns – Pastoral Manager/Lead
 - Tim Lees – Class Teacher
 - James Sharp – Behaviour Manager
- Prevent Single Point of Contact (SPOC): Gail Seaton - Headteacher
- Designated Teacher for Children in Care: Sarah Wallace– Deputy Headteacher
- Nominated Safeguarding Trustee/Director: James Shanley 0782 722 3001

Safeguarding and Performance Unit contacts:

LA Safeguarding Children in Education Officer: Charlotte Davis 0116 305 6314

LA Child Protection Contact LADO / Allegations: Allegations Manager/LADO Kim Taylor / Lovona Brown cfs-lado@leics.gov.uk 0116 305 4141

S & A Safeguarding Advice & Support (subscription service)

Simon Genders simongenders@countysafeguarding.co.uk 07928 144864

Ann Prideaux annprideaux@countysafeguarding.co.uk 07845 552449

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

Telephone 0116 305 0005

Email childrensduty@leics.gov.uk

Address First Response Children's Duty
Room 100b
County Hall
Championship Way
Glenfield
LE3 8RF

Online Referral Forms (Social Care and 'Request for Services' forms)
[https://resources.leicestershire.gov.uk/MARF childrensduty@leics.gov.uk](https://resources.leicestershire.gov.uk/MARF_childrensduty@leics.gov.uk)

First Response Professionals Consultation Line 0116 3055500 For complex case advice (9.30am-11am, 12.30pm-3.30pm)

CCE/CSE Consultation Line 0116 305 9521 CSE.duty.team@leics.gov.uk

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

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

Early Help queries and Consultation Line 0116 3058727 : earlyhelpreferrals@leics.gov.uk

Operation Encompass

Forest Way is now working in partnership with Operation Encompass. All Leicestershire Schools are now part of this safeguarding initiative, which aims to improve outcomes for children and families affected by domestic violence and abuse.

This scheme has been designed to provide early reporting to schools of any domestic abuse incidents that might have an impact on a child that attends their school. The approach, known as Operation Encompass, is being rolled out across the UK. In Leicestershire the scheme is run in partnership between Leicestershire County Council and Leicestershire Police.

If you would like to speak to someone in confidence about domestic abuse or sexual violence, call the **Free From Violence and Abuse (FREEVA) helpline on 0808 802 002**. The helpline is open 8am to 8am Monday to Saturday. You can also visit www.freeva.org.uk

Prevent Engagement Team prevent.team@leicestershire.pnn.police.uk

Operation Encompass psychologist helpline (8am-1pm) 02045 139990

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 environment. We encourage children to talk about their worries and to report their concerns to us in a number of alternative ways. The pupils' welfare is of paramount importance. 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.

1.2 This policy is consistent with:

Links to safeguarding legislation, guidance and procedures for Schools, Academies and Colleges

Safeguarding children in education is set out in two main pieces of statutory guidance, links to the statutory safeguarding guidance are available below.

Academies, free schools, independent schools, alternative education providers - Section 157 of the Education Act 2002 and the Education (Independent School Standards) Regulations 2014 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

Schools and colleges in England **must** have a duty to have regard to any guidance given from time to time by the Secretary of State in considering what arrangements are required.

The Teachers' Standards 2012, as updated, state teachers, including headteachers, must have regard for the need to safeguard pupils' well-being, in accordance with statutory provisions; and maintain public trust in the teaching profession as part of their professional duties.

Links to Guidance:

- The statutory guidance DfE Keeping Children Safe in Education 2023 (KCSiE) in force from 1 September 2023. <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>. KCSiE 2023 sets out what schools and colleges should and must do to safeguard children. The substantive changes from KCSiE 2022 are within KCSiE 2023 at Annex F, pages 177 to 178 of the guidance.
- HM Working Together to Safeguard Children, published 4 July 2018 (updated December 2020). <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- 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 provide 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 (inspecting these where needed) and that there are arrangements to liaise with the school on these matters where appropriate. Safeguarding requirements will be included in any lease or hire agreement as a condition of use and any failure to comply will lead to termination of the agreement.

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 all children (including those having protected characteristics under the Equalities Act 2010) feel secure and are encouraged to report concerns, talk, and are listened to.
 - Ensure that children's wishes and feelings are taken into account when determining what actions to take and services to provide and that they are able to express their views and give feedback. We will always seek to act in the best interests of children.
 - Ensure that children know that there are adults in the school whom they can approach if they are worried or are in difficulty and that there are alternative ways to report concerns.
 - 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. (see Keeping Children Safe in Education part 3)

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 2022, 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.
- All Trustees receive safeguarding training on induction which is regularly updated. This training will be appropriate to their role offering strategic challenge to the school.
- The school operates safer recruitment practices, including appropriate use of references and checks on new staff and volunteers. Online search of all shortlisted candidates. 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 (including lower level 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 (or Annex A, if appropriate), the pupil behaviour policy, the staff behaviour policy (code of conduct), the role of the Designated Safeguarding Lead and how to respond if to children who go missing from education). 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 B from "Keeping children safe in education" September 2022 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. This code of conduct incorporates all the areas addressed in the "Guidance for Safer Working Practice for those who work with children in education settings February 2022" (supplemented where necessary by the COVID 19 Addendum April 2020. Information is provided to the Local Authority (acting on behalf of the Safeguarding Children Partnership) through the Safeguarding Annual Return.
- There is an individual member of the Trustee/Directors 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, where the threshold is met.
- 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 Designated Safeguarding Lead (or a Deputy) will always be available for staff to discuss any safeguarding concerns. The responsibilities of the DSL are found in Annex C of "Keeping children safe in education". The DSL is a senior member of staff on the senior leadership team and the role is explicit in their job description. Responsibilities and include:

Managing referrals – to the local authority children's social care, to the Channel programme, to the Disclosure and Barring Service for staff dismissed for safeguarding concerns (as required), to the Police where a crime may have been committed.

Working with others – to act as a source of support and advice, to act as a point of contact for the safeguarding partners, to liaise with the headteacher about issues especially to do with ongoing enquiries under section 47 or section 17 of the Children Act 1989 and police investigations, to liaise with staff when deciding to make a referral to relevant agencies so that children's needs are considered holistically, to liaise with the senior mental health lead, to promote supportive engagement with parents and carers, to take the lead in promoting educational outcomes for children in need and those with a social worker, to liaise with the Trustees/Directors and the Local Authority on any deficiencies brought to the attention of the Trustees/Directors and how these should be rectified without delay.

Information sharing and managing safeguarding records - keeping records confidential, secure and up to date, in a separate record for each child, including a clear and comprehensive summary, detailing how the concern was followed up and resolved, with a note of actions, decisions and the outcome, sharing information as required to safeguard children and transferring records and other relevant information to the new school within 5 days or in advance if necessary.

Raising awareness – ensuring each member of staff and volunteer understands the child protection policy which is reviewed at least annually, making it available publicly, ensuring staff and trustees have access to relevant training and induction, promoting educational outcomes by sharing relevant information about vulnerable children.

Training, knowledge and skills – to undergo DSL training every two years (updating at least annually via bulletins etc) and to attend Prevent awareness training, in order to understand assessment and referral processes, to contribute effectively to child protection conferences including the importance of sharing information, to understand the lasting impact that adversity and trauma can have on children and how to respond to this, to be alert to children with specific needs e.g. SEND, those with health conditions and young carers, to understand the unique risks associated with online safety.

Providing support to staff – to help them feel confident on welfare, safeguarding and child protection matters, to provide support in the referral process if required and to help them understand that safeguarding and educational outcomes are linked.

Understanding the views of all children – encouraging a culture of listening to all children (including those who are known to be disproportionately impacted by different forms of harm and abuse e.g. LGBT pupils, disabled children or girls) and taking account of their wishes and feelings in measures taken to protect them and understanding the difficulties children may have in approaching staff about their circumstances.

Holding and sharing information – sharing with safeguarding partners, other agencies and professionals and transferring records between schools and colleges in accordance with data protection legislation, keeping detailed, accurate and secure written records and understanding the purpose of this.

4 Records, Monitoring and Transfer

4.1 If you have a concern that a child has been mistreated, either physically, emotionally, sexually or by neglect, you **MUST**:

- Keep the matter confidential to as few people as need to know – inform the person with responsibility for Child Safeguarding/Protection **immediately**
- Write the details of what has been noticed, said and done, date (including the day) and sign it and give this to the Designated Lead Person within 15 minutes of first realising the concern.

It is not your job to investigate the matter. It will be the duty of the person who is responsible for Child Safeguarding/Protection in the establishment, to gather enough information to decide whether or not to contact the Social Care Department.

4.2 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 (or typed), signed (possibly electronically) 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).

4.3 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.

4.4 Child protection records are stored securely, with access confined to specific staff, e.g. the Designated Safeguarding Lead (and relevant deputies) and the Headteacher. CPOMS system was introduced in September 2022 and since then all correspondence and incidents are logged on this system. Individual pupils safeguarding files and paperwork prior to this is still kept locked away in the DSL office.

4.5 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.

- 4.6 Our *school* adopts the file transfer guidance contained in KCSiE 2023 and ensure when a child moves school/education provision their child protection/confidential file is sent securely to their new educational setting when the child starts/ leaves the school.
- 4.7 For those children subject of social care and safeguarding agency involvement will ensure the file is able to evidence the child's journey and include key information as described in KCSiE 2023 Should a child subject to social care involvement transfer schools, college, or education provider we will ensure the child's child protection or confidential file move is transferred within 5 days as required by KCSiE.
- 4.8 Our DSLs will liaise directly with the receiving school, college or alternative placement and hold a discussion to share important information to support the child's transfer to ensure the child remains safeguarded, has any 'reasonable adjustments' agreed, and put in place and to ensure the changes experienced by the child are as smooth as possible to enable a positive integration experience and engagement with new staff and learning.
- 4.9 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.
- 4.10 ***This statement reflects the practice in our school:*** In accordance with KCSiE 2023 we will maintain information on cohorts of children who have been open to social care, have had a social worker or who are closed to social care and may have returned to the family home. This information will only be considered for sharing 'if appropriate' with the new school or provider in advance of the child leaving to allow for the new school to continue supporting the children who have had a social worker or been victims of abuse, including those who are currently receiving support through the 'Channel' programme.

[KCSiE 2023 paragraph123 and pages 150 to 152 and Annex C]

5 Support to pupils and school staff

- 5.1 **Support to pupils** (including those with a disability or 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 needed 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, disabilities or physical health issues. These barriers include:-

- assumptions that indicators of possible abuse such as behaviour, mood and injury related to the child's condition without further exploration.
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children.
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs, and
- communication barriers and difficulties in managing or reporting these challenges.
- Cognitive understanding – being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in schools or colleges or the consequences of doing so.

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 B of the statutory guidance, "Keeping Children Safe in Education".

5.2 **Child on child Sexual Violence and Harassment** - We recognise that children sometimes display harmful behaviour themselves and that even if there are no reports, it may still be happening. Incidents or allegations will be referred on for appropriate support and intervention. Such abuse is unacceptable and will not be tolerated at all or passed off as "banter", "just having a laugh" 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, abuse in intimate relationships between peers, consensual and non-consensual sharing of indecent images, causing someone to engage in sexual activity without consent and physical violence (e.g. hitting, kicking, shaking, biting, hair pulling etc). This may be experienced by both boys and girls; however, girls are more likely to be the victims and boys perpetrators. Some pupils may be more at risk of harm from specific issues such as sexual violence and harassment, homophobic, biphobic, misogynistic or

transphobic bullying or racial discrimination. We will therefore take positive action to create a culture of support for more pupils for more vulnerable groups and to ensure that girls and vulnerable groups such as LGBTQ+ and pupils from ethnic minority backgrounds feel confident to bring forward any concerns and have a safe space to talk to trusted staff about their experiences. 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:

- Behaviour Policy
- Anti-bullying Policy (see Behaviour Policy)
- E-safety Policy (see UK GDPR Policy)
- Guidance for schools working with children who display harmful sexual behaviour (Leicestershire LA Guidance)
- DfE guidance and Part 5 of 'Keeping children safe in education'

Children will be encouraged to report to a trusted adult in school all incidents of child-on-child abuse wherever it may have happened and will be taught about alternative ways of doing this both in school and elsewhere e.g. via a "worry box" or online form. They will always be taken seriously and never given the impression that they are creating a problem by reporting their concern or made to feel ashamed. It is recognised that even where no reports are received, this does not mean that such abuse is not taking place. It could just be that it has not been reported. 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 a thorough investigation conducted by the DSL where appropriate. 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 plans will be written, and help offered, by different adults in school (to avoid a possible conflict of interest), to the alleged victim, the child or young person accused, and any other children involved. A referral to any relevant outside agency will be made e.g., Police or Social Care. Detailed guidance and procedures are included in the linked guidance and school policies mentioned above.

The following steps will be taken to minimise the risk of child-on-child abuse:

- Staff training to ensure an understanding of what it is and how to recognise the signs
- Promotion of a supportive environment by teaching about acceptable and unacceptable behaviours (including online) in both assemblies and the wider curriculum e.g., RSHE
- Clear procedures put in place to govern the use of mobile phones in school
- Appropriate staff supervision of pupils and identifying locations around the school site that are less visible and may present more risk to pupils.

5.3 Online safety – We recognise that technology is a significant component in many safeguarding and wellbeing issues and that children are at risk of abuse online as well as face to face. Some children may use mobile and smart technology, whilst at school and outside of school, to sexually harass their peers, share indecent images (consensually and non-consensually) and view and share pornography and other harmful content. Many children have unrestricted access to the internet via their mobile phones and our online safety policy describes the rules governing their use in school. It also sets out the school's response to incidents which may involve one or more of the four areas of risk – content, contact, conduct and commerce. Online safety is a consideration running through the planning and implementation of all relevant policies and procedures. Staff will always

respond if informed that children have been involved in sharing indecent images. The DFE guidance "Sharing nudes and semi-nudes: advice for education settings working with children and young people (Dec 2020) will be used to guide the school's response on a case-by-case basis.

The key points for staff and volunteers (not including the DSL) being:-

- Report immediately to the DSL
- Do not view, copy, print, share, store or save the imagery, or ask a child to share or download.
- If you have already viewed the imagery by accident (e.g., if a young person has showed it to you before you could ask them not to), report this to the DSL (or equivalent) and seek support.
- Do not delete the imagery or ask the young person to delete it. Leave this for the DSL if needed.
- Do not ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL (or equivalent).
- Do not share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers
- Do not say or do anything to blame or shame any young person involved
- Do explain to them that you need to report it and reassure them that they will receive support and help from the DSL (or equivalent).

Our school approach to online safety, including appropriate filtering and monitoring on school devices and school networks is reflected in this Child Protection Policy including awareness of the ease of access to mobile phone networks. (See KCSiE 2023 Paragraph 138).

Our Senior DSL and the DSL team has the lead responsibility in this area, which is overseen and regularly reviewed by the Governing body, along with considering the number of and age range of their children, those who are potentially at greater risk of harm, and how often they access the IT system along with the proportionality of costs versus safeguarding risks.

Our *Governing body* will ensure they maintain oversight of *the Online Safety Policy contained within our main child protection policy*, and the arrangements put in place to ensure appropriate filtering and monitoring on school devices and school network. The appropriateness of any filtering and monitoring systems will in part be informed by the risk assessment required by the Prevent Duty as required by KCSiE 2023 paragraph 138 to 147.

This will include:

- identify and assign roles and responsibilities to manage filtering and monitoring systems.
- review filtering and monitoring provision at least annually.

- block harmful and inappropriate content without unreasonably impacting teaching and learning.
- have effective monitoring strategies in place that meet the school safeguarding need.
- review and discuss the standards with the leadership team, IT staff and service providers to ensure the school/college meets the standard published by the Department for Education filtering and monitoring standards.

Our Governing body will ensure a review is maintained to ensure standards. They will discuss with IT staff and service providers these standards and whether more needs to be done to support our school/college in meeting and maintaining these standards and communicating these to staff, our pupils, parents, carers and visitors to the school who provide teaching to children as part of the learning and educational opportunities we provide.

Our Senior DSL and the DSL team will always act in the 'best interest of the child' and remain mindful of the importance with parents and carers about safeguarding concerns held for children and in particular children's access to online sites when away from school.

We will support understanding of harmful online challenges and hoaxes and share information with parents and carers and where they can get help and support.

All forms of abuse or harassment will be reported in accordance with national safeguarding guidance, and we will take a 'zero tolerance' approach to harassment and abuse as informed in KCSiE.

As a school should an incident or disclosure be made by a child, our staff will always reassure the child (victim) that they are being taken seriously and that they will be supported and kept safe, but we recognise that not every victim will view themselves as such. We will also be mindful of the use of other terminology such as '**alleged perpetrator(s)**' or '**perpetrator(s)**' as in some cases the abusive behaviour will have been harmful to the perpetrator as well.

We will do our best to ensure children understand the law on child-on-child abuse is there to protect them rather than criminalise them. In doing this we will discuss with relevant statutory safeguarding agencies to ensure all concerns or incidents are addressed fully, and where required different types of assessment and services are put in place where required.

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 LGBTQ+ children are more likely to be the victims of sexual violence and harassment and boys are more likely to be the perpetrators. We will take positive action to create a safe and supportive culture in school, recognising the disproportionate vulnerability of these groups so that all pupils feel supported and have a safe space in order to speak openly with trusted adults if they wish to do so. Sexual violence and sexual harassment can occur between children of any gender.

Curriculum

- Planned PSHE and Relationships, Sex and Health Education will include personal privacy, respect and consent so that children will have a better understanding of how to behave towards their peers including online. This will be taught alongside other safeguarding issues as set out in the DfE statutory guidance "Relationships Education, Relationships and Sex Education (RSE) and Health Education". 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 on Child-on-child sexual violence and sexual harassment in Part 5 of Keeping children safe in education - September 2022.
- 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 Inclusion Service 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 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. CSE and CCE can affect both males and females and can include children who have been moved (trafficked) for the purpose of exploitation. 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. CSE can include 16 and 17 year olds who can legally consent to sex, but they may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship. 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. CCE can also involve working in cannabis factories, shoplifting or pickpocketing and may involve coercing children to commit vehicle crime or serious violence towards others. It is important to note that the experience of girls can be very different to that of boys, but girls are also at risk. 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 **Serious violence** – is associated with a number of risk indicators in children including increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, signs of assault or unexplained injuries. Staff will be made aware of these and of the other risk factors which increase the likelihood of involvement in serious violence, including, being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending such as theft or robbery. Staff training will raise awareness to these risks and any concerns will be passed to the Designated Safeguarding Lead to co-ordinate a safeguarding response.
- 5.8 **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.
- 5.9 **Modern slavery and human trafficking** – can take on many forms, including sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs. Children may be trafficked into the UK from abroad or moved around the country. Staff need to be aware of indicators which include, but not limited to, neglect, isolation, poor living conditions, having few personal belongings and a lack of trust and reluctance to seek help. Staff will refer any concerns to the DSL without delay who will take action and also refer victims to the National Referral Mechanism (www.gov.uk).
- 5.10 **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 stepparent, grandparents, uncle, aunt or sibling).

5.11 **Domestic abuse** – can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own.

5.12 **Looked After Children** – The Deputy Headteacher is the Designated Teacher and a Designated Safeguarding Lead and has responsibility for promoting the educational achievement of children who are looked after. They have the appropriate training and will work with the Virtual School to ensure that the progress of the child is supported. As a Designated Safeguarding Lead they will also have details of the child's social worker and the name of the Assistant Head of the Virtual School. The Deputy Headteacher recognises that children may have been abused or neglected before becoming looked after. We will ensure their ongoing safety and wellbeing as well as supporting their education, through linking with their social worker, carers, and parents where appropriate. We also recognise those children who were previously Looked-After potentially remain vulnerable and all staff will be informed of the importance of maintaining support for them through our *school*. As a school, we will continue to recognise the importance of working with agencies and take prompt actions where necessary to safeguard these children, who may remain vulnerable.

5.13 Complaints or concerns raised by parents or pupils will be taken seriously and followed up in accordance with the school's complaints process.

5.14 **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 will seek to arrange the necessary support.

5.15 **Educating Young People – Opportunities to teach safeguarding**

As a school we teach children in an age-appropriate way about youth produced imagery, on-line risks associated with social networking to prevent harm by providing them with the skills, attributes, and knowledge to help them navigate risks, including covering online safety, remote learning, filters and monitoring, information security, cyber-crime, reviewing online safety platforms and use of mobile technology. We ensure appropriate filters and monitoring systems in place and regularly review their effectiveness.

The education we provide for online safety will take into account the need for children to learn using online technologies in a safe environment whether that be in *school*, in the home or in a community environment. This will also be taught as part of a wider RSHE programme, as well as through other subject areas and ICT.

We ensure a whole school approach is in place to promote giving children the space to explore key issues in a sensitive way and the confidence to seek the support of adults should they encounter problems or online harms, hoaxes or harassment including involving incidents of sexual violence and sexual harassment between children.

We carefully consider mobile phone use and the new filtering and monitoring standard required by DfE and how this is managed in school/college and ensure it is reflected in our mobile and smart technology policy. This includes where children have unlimited and unrestricted access to the internet via mobile phone networks (i.e., 3G, 4G and 5G).

Our arrangements are regularly reviewed to address this additional area of safeguarding as technologies change on a regular basis and having access to smart technology could mean some children, whilst at school/college, sexually harass, bully, and control others via their mobile and smart technology, share indecent images consensually and non-consensually (via large chat groups) and view and share pornography and other harmful content.

Correspondence is sent home regularly to ensure that parents/carers are *made aware of on-line safety to minimise the safeguarding risks technology can pose and where they can seek advice, help, and 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 and Discipline Policy
- Staff Code of Conduct ("Guidance for Safer working practice May 2019")
- Racist incidents
- Anti-Bullying (including Cyberbullying)
- UK General Data Protection Regulations Policy
- 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 and Sex Education
- Site Security
- Equal Opportunities
- Toileting/Intimate care
- Online 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: The leadership team and governing body of the school will ensure that all safer working practices and recruitment procedures are followed in accordance with the guidance set out in KCSiE 2023 Part Three.
- 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).

- 8.6 The school has in place recruitment, selection, and vetting procedures in accordance with KCSiE 2023 Part Three and maintains a Single Central Record (SCR), which is reviewed regularly and updated in accordance with KCSiE 2023 Part Three paragraphs 206 to 351.
- 8.7 In the event of any complaint or allegation against a member of staff, the headteacher (or the Head of School) if the headteacher is not present, will be notified immediately. If it relates to the headteacher, the chair of Trustees will be informed without delay. We will respond to all allegations robustly and appropriately in collaboration with the Local Authority Designated Officer (LADO), LADO Allegation Officers or HR Service.
- 8.8 Staff may find some of the issues relating to child protection and the broader areas of safeguarding upsetting and may need support which should be provided by the school and their Human Resources Team.

9 Information Sharing

- 9.1 Effective sharing of information between practitioners and local organisations and agencies is essential for early identification of need, assessment, and service provision to keep children safe. Serious Case Reviews (SCRs) now known as Rapid Reviews (RRs) have highlighted that missed opportunities to record and thereby understand the significance of sharing information in a timely manner can have severe consequences for the safety and welfare and well-being of children (Working Together to Safeguard Children 2018, updated December 2020).
- 9.2 *We will adopt the information sharing principles detailed in statutory safeguarding guidance contained within.*
- 9.3 DfE KCSiE 2023 has several sections which provide clarity on information sharing processes and GDPR including within Annex C which makes clear the powers to hold and use information when promoting children's welfare.
- 9.4 Working Together to Safeguard Children 2018 Paragraph 23 to 27 and on pages 20 and 21.
- 9.5 Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents, and carers (which has been updated to reflect the General Data Protection Regulation (GDPR) and Data Protection Act 2018).
- 9.6 Leicestershire and Rutland Safeguarding Children Partnership (NSCP) Policy and Practice Guidance.
- 9.7 *We can confirm that staff, trustees/ trust members have completed GDPR Information Sharing training.*

APPENDIX 1

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

Contents

A	General	
B	Individual Staff/Volunteers/Other Adults - main procedural steps	
C	Designated Safeguarding Lead – main procedural steps	

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 or photograph 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 record 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, VOLUNTEERS AND CONTRACTORS

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.

There is also a school "Low level concerns policy" which should be followed if the concern does not meet the allegations threshold above or is not considered serious enough to make a referral to the LADO.

Relevant documents:

- DfE "Keeping children safe in education: Statutory guidance for schools and colleges" (part 4: Allegations made against/concerns raised in relation to teachers including supply teachers, other staff, and volunteers and contractors)

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

- i. Write and sign 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 and sign 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

Low-level Concerns Policy

1.0 Purpose

- 1.1 This policy sets out a framework whereby staff are expected to report concerns, no matter how small, about their own behaviour or that of another member of staff, volunteer, supply teacher, contractor or other person working in school. Its purpose is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in the “Guidance for safer working practice for those working with children and young people in education settings” (February 2022) (sometimes called the safeguarding code of conduct) are lived, monitored, and reinforced.
- 1.2 The policy should be read in conjunction with the current statutory guidance – “Keeping Children Safe in Education” Part 4, Section 2.

2.0 Who does the policy apply to?

- 2.1 This policy applies to all staff and other individuals who work or volunteer in school.

3.0 Definition of a low-level concern

- 3.1 A low-level concern is any concern, no matter how small, even if no more than causing a sense of unease or a ‘nagging doubt’, that a person working in or on behalf of the school may have acted in a way that:
- is inconsistent with the “Guidance for safer working practice” (February 2022), including inappropriate conduct outside of work, and
 - does not meet the allegations threshold or is otherwise not considered serious enough to make a referral to the LADO

4.0 Reporting low-level concerns

- 4.1 Where a low-level concern has been identified this will be reported as soon as possible to the **headteacher**. However, it is never too late to share a low-level concern if this has not already happened.
- 4.2 Where the headteacher is not available, the information will be reported to the Designated Safeguarding Lead or Deputy (i.e., the most senior member of SLT acting in this role).
- 4.3 Low-level concerns about the Designated Safeguarding Lead will be reported to the headteacher and those about the headteacher will be reported to the Chair of Governors. A low-level concern about a supply teacher or contractor will be reported to their employer.
- 4.4 Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the headteacher of the details as soon as possible.

5.0 Recording concerns

- 5.1 A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward.
- 5.2 Where concerns are reported verbally to the headteacher a record of the conversation will be made by the headteacher which will be signed, timed, and dated.

6.0 Responding to low-level concerns

- 6.1 Where a low-level concern has been raised this will be taken seriously and dealt with promptly. The headteacher will:
- Speak to the person reporting the concern to gather all the relevant information
 - Speak to the individual about the concern raised to ascertain their response, unless advised not to do so by the LADO or Police (HR advice may also need to be taken).
 - Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to any potential witnesses.
 - The information reported and gathered will then be reviewed to determine whether the behaviour,
 - i) is consistent with the “Guidance for safer working practice for those working with children and young people in education settings” (February 2022): no further action will be required,

ii) constitutes a low-level concern: no further action is required, or additional training/guidance/support may be required to rectify the behaviour via normal day to day management processes. The employee should understand that failure to improve or a repeat of the behaviour may lead to further action being taken, e.g., either via the Performance Management Policy or Disciplinary Policy.

iii) is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and advice taken from HR. In this case the school's Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed.

iv) when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO or Police: a referral should be made to the LADO and advice taken from HR. In this case the school's Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed.

- Records will be made of, i) all internal conversations including any relevant witnesses, ii) all external conversations e.g., with the LADO iii) the decision and the rationale for it, iv) any action taken

7.0 Can the reporting person remain anonymous?

7.1 The person bringing forward the concern will be named in the written record. Where they request to remain, anonymous this will be respected as far as possible. However, there may be circumstances where this is not possible e.g., where a fair disciplinary investigation is needed or where a later criminal investigation is required.

8.0 Should staff report concerns about themselves (i.e., self-report)?

8.1 It may be the case that a person finds themselves in a situation which could be misinterpreted or might appear compromising to others; or they may have behaved in a manner which on reflection they consider falls below the standard set out in the "Guidance for safer working practice". In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

9.0 Where behaviour is consistent with the "Guidance for safer working practice" (Feb 2022)

9.1 Feedback will be given to both parties to explain why the behaviour was consistent with the "Guidance for safer working practice".

10.0 Should the low-level concerns file be reviewed?

10.1 The records will be reviewed periodically, and whenever a new low-level concern is added, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and referred to the LADO if required. A record of these reviews will be retained.

11.0 References

11.1 Low-level concerns will not be included in references unless a low-level concern, or group of concerns, has met the threshold for referral to the LADO and found to be substantiated.

12.0 What is the role of the Governing Body?

12.1 The headteacher will regularly inform the Governing Body about the implementation of the low-level concerns policy including any evidence of its effectiveness e.g., with relevant data. The Safeguarding Governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.

APPENDIX 4

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 5

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 6

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 2023
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 and approximately 7% come from out of county and represent a much wider sociological background. We have seven practicing Muslims in the school but due to their severe learning disabilities/profound multiple disabilities, we</p>		

consider them to be extremely low risk.

Risk evaluation	Low Medium High	Way Forward
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Date completed 8 September 2023

Signed:-



Gail Seaton - Headteacher

APPENDIX 7

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 8

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 caregivers); 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 9

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 September 2023

PART OF THE CHILD PROTECTION POLICY

Incorporating Recruitment of Ex-Offenders

Purpose

This policy has been designed to assist schools with the appointment of all vacant positions within their organisation. It should be noted that whilst there is separate recruitment guidance for Head Teacher/Principal posts, pre-employment checks for such posts remain the same as those required for teaching posts.

This document, and its associated guidance, will assist all those responsible for the recruitment process to ensure appropriate mechanisms for safer recruitment and selection are in place. This document also sets out best practice, taking into account relevant legislation, the requirements of regulatory inspections (i.e. Ofsted) and the organisation's commitment to Equality and Diversity.

For the purposes of this policy Schools and Academies will be referred to as "schools", and Head Teacher/Principal will be referred to as "Head Teacher" throughout the document.

1. Equal Opportunities

1.1 Everyone involved in recruitment and selection processes must be mindful of the Equality Act 2010 to ensure that anyone wishing to apply for a position at the school has an equal opportunity to do so.

1.2 Reasonable Adjustments

Reasonable adjustments must be put in place 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. The candidate should be consulted well in advance of any adjustments required/ made, these may include (but are not limited to):

- ensuring the interviewing room has a wheelchair ramp;
- providing a skills test printed in large font;
- providing additional time to complete a test or prepare a presentation

1.3 Criminal Convictions

Having a criminal record does not automatically prevent a person from being employed within a school and applicants should not be treated unfairly if they have a previous conviction. Whilst a criminal record cannot be disregarded, the school must seek advice to ensure a fair and consistent approach when considering an applicant's suitability for the role they are applying for.

2. Personal Relationships

2.1 Where an employee who is involved in any part of the recruitment process has a personal relationship with an applicant, they should declare this from the outset. Such employees must then **not** be involved in:

- the recruitment processes;
- providing a reference or acting as a referee for that person where possible;
- making decisions relating to pay in respect of that individual;
- making decisions related to or the management of the employee's performance;

- any conduct issues that arise that may involve the employee.
- 2.2 The recruitment panel should also check the application forms as candidates must also declare whether they have a personal relationship with any current members of staff.

3. The Recruitment Process:

STEP 1: Review 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 organisational needs. It is good practice to consider the following points:

- Is this a new post or an existing post ?
- If an existing post, is this post still required ?
- Can the school afford to recruit to the post within both current and future budgets ?
- Are the working hours/times/grade of the post still appropriate ?
- Is there an up-to-date Job Description and Person Specification ? (see below)
- Is recruitment to a permanent/fixed term/full time/part time position ?
- Do you require supply cover in place whilst recruiting to a permanent position ?

For details of the different types of contracts available, see associated guidance document.

STEP 2: Prepare a Recruitment Plan

Ensure a realistic timetable is prepared for the recruitment process and includes time to:

- Agree a “Recruitment Panel”, usually comprising of three members. At least one panel member must have received Safer Recruitment training.
- Create/review the job description & person specification to ensure they are both fit for purpose.
- If a new post, does this need to be evaluated to check the grade (for a non-teaching post).
- Prepare the job advertisement (part salaries should be clearly stated on the advert)
- Prepare any additional recruitment literature that will be sent out to applicants, i.e. the Job Pack
- Diary dates set aside for any potential informal visits to the school.
- Agree dates for:
 - When the advert will be published and the duration of the advertising period;
 - Closing date for the advert;
 - Shortlisting meeting;
 - Inviting candidates to interview;
 - Applying for employment references;
 - The selection/interview days i.e. venue, candidate activities, panel questions;
 - Start date for successful applicant.

NB. All members of the panel should participate in every stage of the recruitment process.

STEP 3: Advertising the Job

When compiling the Job Advert, the following should be included:

- A message about the culture of the School and the type of person needed for the role.
- Details of the key knowledge and skills required to undertake the role.
- The advert must signpost the candidate to the School's Child Protection Policy
- A strap line outlining the school's commitment to safeguarding and promoting the welfare of children and young people, for example:

"This school is committed to Safeguarding Children and Young People."

- A statement that the post holder will be subject to a DBS Disclosure check, for example:

"As this post is required to work in 'Regulated Activity' an enhanced DBS with a Barred list check is essential".

- For roles designated as "Regulated Activity" it is essential that the information sent to candidates makes it clear that references will be sought in advance of the interview. References will not be sought for internal candidates.
- A Statement that shortlisted candidates will be subject to online searches.
- The closing date by which all completed applications should be sent to the school.
- The advert should be placed in such a way that the best range of prospective candidates can access it which best reflects the community that the school serves. Below are several options of where Schools can advertise their vacancy:
 - School's own website.
 - Eteach/TES.
 - Local press.
 - LCC Website – contact EMSS helpdesk for further details.
 - Job Centre Plus – further information is available on the Job centre plus website.
 - Social media.
- If advertising posts for overseas workers, additional rules apply in terms of the recruitment process and advertising the role. See associated guidance for more details.

STEP 4: Shortlisting

As soon as possible after the closing date, each member of the recruitment panel should receive a shortlisting pack (via the agreed method) which should include a copy of all the application forms (minus the equal opps form), a job description and personnel specification and the shortlisting grid in order to carry out the shortlisting exercise. All members of the panel should:

- Take part in the shortlisting process.
- Complete a separate shortlisting grid for each individual candidate. This promotes fairness and consistency whilst also providing an audit trail.
- Check whether any gaps in employment history have a reasonable and acceptable explanation (see Safer Recruitment Requirements in the associated Guidance document).
- Check that any additional information sent with the application is not considered as part of this process, unless this information was expressly requested by the recruitment panel, i.e. a supporting letter outlining the individual's suitability for the role.
- Ensure that all essential criteria (to be assessed by the application form) have been satisfied. Where this is not the case, the applicant may not be shortlisted.

Declaration of Criminal Conviction(s):

- Applicants will no longer be asked about any criminal record at the point of application. This check will be carried out once short-listing has taken place. A Criminal Records Self-Disclosure form will be sent to all shortlisted applicants along with the invite to interview letter to allow the disclosure of any relevant criminal convictions. Where an applicant declares they have a criminal conviction, they must provide the details on this Self-Disclosure form which should be placed in a sealed envelope. This envelope should remain with the Chair of the panel, unopened until the end of the interview process.
- Following the interview, where the preferred candidate has declared a criminal conviction(s), the Chair will inform the panel. If the panel decide that the conviction(s) is relevant, further information should be sought from the candidate at the end of the interview and before an offer of employment is made. Where this form is received with an electronic signature, at the interview the shortlisted candidate will be asked to sign a hard copy of the form confirming the information they have provided is a true and accurate declaration.

On-Line Checks for Shortlisted Applicants:

- An online search will be carried out as part of the due diligence on all shortlisted candidates. The purpose of this is to help identify any incidents or issues that have happened, the details of which are publicly available online.
- Such checks will be undertaken **after** shortlisting and by someone not involved in the recruitment process. Where issues are identified by this process details can be explored further with the applicant during their interview.
- All applicants must be made aware that such checks will be undertaken in order to 'Determine their suitability to work with children and keep them safe' (e.g. by job advert and invite to interview letter).
- **Caution will be taken when undertaking such checks.**

STEP 5: Invitation to Interview

Following the shortlisting meeting, arrangements should be made to write out to those individuals shortlisted inviting them for interview. This letter should detail the following:

- That the applicant has been selected to attend a recruitment process.
- The location, date and times of the interview.
- Outline the interview process, detailing any tests or assessments the candidates will be required to undertake.
- The requirement to bring relevant identification documentation to the interview day.
- The requirement to provide original documents verifying any qualifications essential for the job.
- The requirement to complete a Criminal Records Self-Disclosure form. (this form should be sent with the invite letter).
- That, where necessary, on-line candidate search may be performed and the reasons for this.
- Details of who to contact should the applicant require any reasonable adjustments to allow them to attend and be able to fully participate in the interview process.

If a candidate advises that they are unable to attend for interview on the date specified, the panel has discretion to reschedule their interview date, however, the interview panel **must** remain the same.

STEP 6: Interview Preparation

It is essential for the recruitment panel to meet prior to the interviews to agree the format of the interview process. The panel must decide:

- What tasks or activities they will ask the candidates to perform, i.e. in tray exercises, presentations or teaching a class.
- Which questions to ask – all questions should be agreed in advance and these should include a safeguarding question and a question on equal opportunities.
- 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 important that the methods used to test candidates are appropriate and proportionate to the duties of the role they are applying for, and designed in such a way that the candidate is able to demonstrate their suitability for the role.

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.
- The suitability of the venue - taking into consideration any additional or special requirements such as access or any additional adjustments requested by the candidates.
- Any car parking spaces, refreshments etc. are arranged.
- Arranging the checking of the candidate's identity documents.
- Arranging checking and copying of any additional documentation required at interview.
- Ensuring the interview timetable allows sufficient time between interviews for:
 - ✓ Overruns.
 - ✓ Breaks.
 - ✓ Panel discussion.

STEP 7: The Interview

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

Panel members must score each candidate independently and agree whole 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 and checked, e.g. evidence of qualifications.
- Ensure hard copies of any forms received electronically are signed by the candidate.
- Explore any issues raised by the Criminal Records Self Declaration form, and
- Explore any issues raised as a result of any on-line checks conducted on the candidate.

Step 8: Decision Making – Appointing the Preferred Candidate

All aspects of the selection process should be considered when making decisions to appoint a new employee, the successful candidate should have:

- Met all the essential criteria on the job description.
- The highest aggregated score, taking into account their scores for any additional tasks that they have been asked to complete as part of the selection process.
- There are satisfactory explanations for any previous criminal conviction or issues identified via the on-line searches.

It is also helpful for the panel to decide on a reserve candidate in case the first candidate declines the job offer.

Step 9: Informing the Successful Applicant

The chair of the panel should contact the successful candidate as soon as possible to advise them of their appointment.

A **conditional** offer should be made to the successful candidate and it should be explained that the post is not confirmed until all of the pre-employment checks are satisfactorily completed, these include:

- A check to ensure the candidate has the Right to Work in the UK;
- Proof of their identity (including full name, date of birth, address and photographic evidence of this);
- Confirmation of essential qualifications and/or professional registrations.
- A satisfactory outcome of the medical questionnaire;
- A satisfactory DBS with a barred list check (where appropriate);
- **Two satisfactory written references (one of which should be from the candidates' current employer)**. Where an applicant is currently working in a position which does not bring them into direct contact with children, a further reference should be obtained from the most recent employer where the applicant last worked with children (if applicable).
- References will not be obtained for internal vacancies.
- References should always be obtained and scrutinised and any concerns resolved satisfactorily before the appointment is confirmed.

It is good practice that all the other candidates be informed they have been unsuccessful and offered the opportunity to obtain feedback on their application or performance at interview. It is best practice to speak to unsuccessful applicants in person, usually via a phone call, but if the chair of the panel has been unable to reach a candidate, they should receive a written outcome stating that they have been unsuccessful.

4. Recruitment Documentation Retention

- 4.1 Interview notes for all candidates (both successful and unsuccessful) must be retained for a period of 6 months, in case they are required in connection with an Employment Tribunal claim or have been requested by a candidate under the Data Protection Act. After this stage the documents for unsuccessful candidates must be destroyed. Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation.

5. Pre-employment Checks

- 5.1 Pre-employment checks are an essential aspect of the recruitment process and should be conducted on both newly appointed employees **and** internal candidates (including those who have **TUPE transferred** into the organisation) prior to commencement in post. All checks undertaken must be accurately recorded on the **Safer Recruitment Checklist**.
- 5.2 In addition, and importantly, details of all checks undertaken should also be recorded on the School's **Single Central Record**.

- 5.3 For agency and third party supply staff, schools must also include on their single central record that written confirmation has been received from the agency/business supplying the individual that they have carried out relevant checks, obtained the appropriate certificates, the dates that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the individual.

6. Single Central Record

- 6.1 Schools must keep a single central record of all employment checks carried out.
- 6.2 The single central record must cover the following people:
- All staff (including supply staff) who work at the school;
 - All other staff who work in regular contact with children in school or college, including volunteers;
- 6.3 Ofsted will check the School's single central record during their inspection visits with the expectation that it will meet at least the statutory requirements.

7. Transfer of undertakings (Protection of Employment) (TUPE)

- 7.1 Employees who are TUPE transferred into the school, or from a school to academy or from an academy to Multi Academy Trust, must have their documentation checked within 60 days of the transfer. Head teachers should follow the required checking process set out in the associated guidance.
- 7.2 **Schools should be aware that sponsor licenses are non-transferable from one employer to another under TUPE Regulations.** In such circumstances the school must make an application for either a sponsor license or to extend the existing sponsor license. An application must be made with 20 working days of the move taking place.
- 7.3 If the school does not make a valid application to become a sponsor within 20 working days or does make an application, but this is refused, all of the migrants who have transferred, except those that can be sponsored under any existing licences, will have their leave, or worker authorisation shortened to 60 calendar days.

Recruitment of Ex-Offenders

This policy is part of the Recruitment and Selection Policy, which is incorporated into the Child Protection.

Reviewed September 2023

Purpose

This document applies to the recruitment and selection of all teachers (including the Head teacher), support staff, volunteers and Trustees, and should be read in conjunction with the school's Recruitment and Selection policy.

For individuals who work at the school via a 3rd Party Supplier, e.g. catering and cleaning staff, the school will ensure that confirmation is received from the supplying organisation that relevant checks in relation to the employment of ex-offenders have been undertaken.

The purpose of this policy is to outline the process of assessing:

- a job applicant's suitability to work within this school where a criminal conviction is disclosed by either:
 - the job applicant directly,
 - the Disclosure and Barring Service, on an Enhanced DBS certificate.
 - The Police or other Law Enforcement Agency, as additional information alongside the Enhanced DBS certificate.
- An existing employee's suitability to continue to work within this school where they have received a criminal conviction or caution during the course of their employment.

This policy outlines a fair and transparent process to enable school leaders to make fully informed and objective decisions on whether to continue with the appointment (or the employment) of an individual, whilst also ensuring the school meets its safeguarding obligations.

For the purposes of this document a "conviction" refers to a criminal conviction, caution, reprimand or warning, or where legal action is being taken against an individual which may result in a legal penalty.

The school have also adopted the Disclosure and Barring Service's Code of Practice on the handling of Disclosure Information and will adhere to it in all circumstances.

1. Rehabilitation of Offenders

- 1.1 The Rehabilitation of Offenders Act 1974 (The Act) allows most convictions, cautions and reprimands to be considered "spent" after a certain length of time has elapsed. This is known as the "rehabilitation period" and is determined by the sentence or disposal given. The Act provides individuals with spent convictions the legal right not to disclose them when applying for most jobs.
- 1.2 However, most school-based roles will fall under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, e.g. where the post is involved in regulated activity with children and other activities which involve working closely with children such as caring for, training, supervising or being solely in charge of children under the age of 18, and are exempt from the provisions of The Act. The school is therefore entitled to request details of spent **and** unspent convictions and cautions that are not protected (i.e. eligible for filtering, see below). This information will be taken into account when determining an applicant's suitability for the role applied for in school.
- 1.3 Having a criminal record will not necessarily prevent an individual from working in this school. Decisions on whether or not to recruit an individual will only be taken following a detailed and considered assessment of all the circumstances.

- 1.4 The school will not discriminate unfairly against any individual on the basis of a conviction or other information revealed.

2. Pre-Employment Checks

- 2.1 It is unlawful for the school to employ anyone who is barred from working with children. Similarly, it is a criminal offence for any person who is barred from working with children to apply for a position at the school.

2.2 Shortlisting of Applicants:

During the recruitment process, all short-listed applicants will be asked to disclose any relevant spent or unspent convictions and cautions prior to interview using the Criminal Records Self-Disclosure Form (Appendix 1). This form should be returned to the school in a sealed envelope and will remain un-opened until the end of the interview process.

2.3 Under the Exceptions Order the following must be disclosed :

- all unspent convictions and cautions, **and**
- spent cautions and convictions if they meet the circumstances described in the table below:

Disposal	Age when given/sentenced	How long since given/sentenced?
Caution for specified offence	18 years or over	Any time
Caution for non-specified offence	18 or over	Less than 6 years
Conviction for specified offence	Any age	Any time
Conviction resulting in custodial sentence	Any age	Any time
Conviction for non-specified offence	18 or over Under 18	Less than 11 years Less than 5 and half years

2.4 A 'specified offence' is serious and relates to:

- sexual offending,
- violent offending and/or are relevant to safeguarding children and vulnerable adults.

The full list of "specified offences" can be found on the DBS website.

<https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates>

- 2.5 Where the applicant is successful at the interview stage the envelope containing their Criminal Records Self-Disclosure form will be opened by the chair of the panel and the other panel members informed of the contents. Where a criminal record is disclosed refer to **Section 3** of this policy.

2.6 Where a conditional offer of employment is made:

A job applicant who is successful at the interview stage will receive a conditional offer of employment. This offer will be subject to a satisfactory Enhanced Criminal Record check with a barred list check (where appropriate) by the Disclosure and Barring Service before an appointment is confirmed.

2.7 An Enhanced DBS certificate will always include:

- convictions that resulted in a custodial sentence,
- "[specified offences](#)" where they resulted in a conviction, **or**
- an adult caution regardless of when they were received.

- 2.8 Cautions, reprimands and warnings received when an individual was under the age of 18 will not automatically appear on an Enhanced DBS certificate.
- 2.9 As a result of the amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now 'Protected' or 'filtered' convictions or cautions and should **not** be disclosed or included on a DBS Disclosure Certificate. Information volunteered by an applicant relating to 'protected' convictions and cautions will be disregarded.

Further information can be found on the [Ministry of Justice](#) website.

- 2.10 Furthermore, there may be occasions where the police choose to disclose information relating to a protected caution or conviction along with the Enhanced Disclosure where it is considered relevant to the role that the individual has applied for. This information will be taken into account as part of the vetting process.
- 2.11 **Failure to disclose a previous conviction may lead to an application being rejected or an offer of employment withdrawn. Where it is discovered, after employment has started, that an individual did not disclose a criminal record, this may lead to disciplinary action being taken. A failure to disclose a previous conviction may also amount to a criminal offence.**
- 2.12 The School will make a report to the Police and/or the DBS if:
- it receives an application from a barred person;
 - it is provided with false information in, or in support of an applicant's application; or
 - it has serious concerns about an applicant's suitability to work with children.

3. When A Job Applicant Declares a Criminal Conviction/Caution

- 3.1 Where a panel consider a job applicant is appointable following interview, the panel will open the envelope containing the Criminal Records Self Disclosure Form. If a conviction, caution or other offence has been disclosed on the form, a further interview with the applicant will take place to discuss the declared information. The school will then determine whether or not the information provided has an impact on the applicant's ability to undertake the role they are applying for, before a final recruitment decision is made.
- 3.2 The Chair of the Panel will arrange a meeting with the individual, as soon as practically possible in order to complete the Impact Assessment Form ([Part 1](#) and [Part 2](#)). Following the meeting the chair of the panel will:
- Conclude whether or not the declared information impacts on the role applied for,
- And**
- Provide a clear rationale of the reasons behind the conclusion.
- 3.3 The completed Impact Assessment Form will be retained with all other documentation relevant to the individual's application.

NB. Part 2 does not always need to be completed. This is dependent on the circumstances. See attached forms at Appendix 2. Where necessary HR advice will be sought.

4. When A DBS Disclosure Certificate Identifies A Criminal Record

- 4.1 Prior to confirming an offer of employment, the school must have sight of the applicant's original DBS certificate. Where an applicant does not have a current DBS certificate, the school will apply for one.
- 4.2 Where a criminal record is stated on the DBS Certificate (and/or additional information is provided by the Police), and where the Chair of the Recruitment Panel did not complete the Impact Assessment at the Interview stage (due to no convictions being stated on the Criminal Convictions Self-Disclosure Form), the Head Teacher will undertake an assessment which may determine:
- due to the age and/or nature of the offence(s) there is no impact on the role the individual will be undertaking. The Head Teacher will complete the [Impact Assessment Form Part 1 only](#) and place this in the individual's personal file.
- OR**
- that further investigation is required before any decision can be taken on whether an appointment can be confirmed. The Head Teacher will complete the Impact Assessment Form [Part 1 & Part 2](#). The form will be retained on the individual's personal file. Any copies taken of the Disclosure Certificate will be destroyed.
- 4.3 In instances where an individual disputes the contents of the DBS disclosure certificate issued to them, the school has the discretion to suspend the recruitment process until such time as the dispute is resolved
- 4.4 The Head Teacher will seek advice from their HR Adviser and the LADO where the disclosure or additional information was of a safeguarding nature.

5. When A Criminal Conviction is Declared by a Current Employee/ Volunteer

- 5.1 Where an employee/volunteer declares a criminal record or advises the Head Teacher of pending criminal action, an Impact Assessment will be undertaken to establish whether this affects the individual's suitability to continue to undertake their role.
- 5.2 Where appropriate, the Head Teacher will complete the Impact Assessment Form [Part 1](#), and depending on the nature of the criminal record, [Part 2](#), and place this on the individual's personal file. The Head teacher may conclude:
- a. Where the impact assessment concludes that there is no impact on the individual's employment, no further action will be taken.
 - b. Where the assessment concludes that there is an impact, action will be taken in accordance with the School's Disciplinary Procedure. For Volunteers/casual staff, continued use of such individuals may cease.

Where necessary HR advice will be sought.

- 5.3 The Head Teacher will seek advice from their HR Provider and/or the LADO where the disclosure or additional information was of a safeguarding nature.

6. The Impact Assessment

- 6.1 An Impact Assessment will be undertaken to fully assess information received about a criminal conviction and inform decisions on the individual's suitability to undertake the role applied for/ remain in their current role.
- 6.2 All decisions made in respect of an individual's employment will be based on objective and factual consideration, and the rationale will record that serious consideration has been given to the potential risk of employing the individual.
- 6.3 The impact assessment will contain:
- A summary¹ of the information received and how this was received. If information is received via a DBS check it is not appropriate to summarise any of the information received.
 - The outcome of the assessment and any recommended action to be taken.
- 6.4 **For existing employees:** the outcome of an Impact Assessment may lead to disciplinary action. In such circumstances the Impact Assessment may act as the investigation stage of the Disciplinary Procedure in which case the employee will be advised of their right to representation.

6.5 Impact Assessment Form – Part 1 (to be completed in all cases):

In making an initial assessment the following questions will be considered:

- Is the criminal offence(s) related to the type of work to be undertaken?
- Does the post involve unsupervised work with vulnerable groups i.e. children, young people or vulnerable adults?
- What penalty was awarded, if any?
- Was the offence committed when the person was a juvenile or an adult?
- How long ago was the offence?
- Is the offence within [The Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009?](#)

***N.B.** The Safeguarding Vulnerable Groups Act 2006 provides for a [list of offences](#) that will result in automatic inclusion in one or more of the Independent Safeguarding Agency (ISA) barred lists .*

- If there was more than one offence, is there a pattern of offences — how frequent, how long since the last offence?
- Does the post involve any direct responsibilities for property, finance or items of value?
- The employers' duties in law.
- Consideration will also be given to the country in which the offence was committed

For those individuals who have lived or worked abroad, has a letter of good conduct been received from that country(ies)

6.6 Impact Assessment Form – Part 2 (to be completed when further investigation is required):

School leaders will consider the following when completing Part 2 of the Impact Assessment Form.

New Job Applicants:

- The nature of the crime, when it happened, the circumstances surrounding the matter and the sentence was given.
- Any advice from the LADO/HR?

¹ In accordance with the both the DBS Code of Practice and the School/College/Academy Policy for the Storage & Management of DBS Disclosure Information copies of a DBS disclosure certificate can only be retained for a maximum period of 6 months, and only where there is a valid reason for doing so, after which it must be destroyed. This being the case, this summary will provide the only audit trail of the information reviewed as photocopies of DBS Disclosure certificates must not be kept.

- The nature and seriousness of the offence and whether there is a potential risk to children, young people, vulnerable adults, other service users, the public and/or colleagues?
- The nature of the offence and the potential to risk to property or finance?

Current employee/volunteers:

- The nature of the crime, when did it take place etc.
- Was the information previously known? e.g. from a previous DBS check undertaken?
- Did the concern arise/offence take place prior to working for the school, if so was it considered during the recruitment. If yes, was this recorded?
- Did the concern arise/offence take place whilst the individual was working at the school?
- Did the individual declare the offence at the time it happened? If yes, was disciplinary action taken against the individual?
- If disciplinary action was not taken, what alternative action (if any) was taken?
- Have there been any other related concerns about the individual?
- Is the concern sufficient to contact the LADO for advice?

6.7 The individual undertaking the interview will ensure that as part of the process:

- the applicant/employee agrees that the information recorded on the DBS Disclosure certificate is correct and that it relates to them?
- the applicant/employee provides a detailed explanation of what happened and context around the incident. Be aware that it is normal for people to minimise both what actually happened and justify their actions.
- consideration is given to the individual's circumstances; have these changed since the offence was committed?
- the degree of remorse expressed by the applicant/employee and their motivation to change.

6.8 Following the Impact Assessment, a decision will be made based on the information gathered, regarding the individual's suitability to work/continue working in the role.

6.9 Possible outcomes of the Impact Assessment Process

The possible outcomes are:

- To appoint to post
- Not to appoint to post

Or for existing employees:

- To continue in current role, with the option of making reasonably adjustments (where possible).
- To continue in a different role; for employees the alternative role wherever practicable should be on the same grade.
- Manage the individual under the school's Disciplinary Process. An outcome of which may be dismissal.

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

Appendix 1: Criminal Records Self-Disclosure Form

Congratulations on being shortlisted. Please complete and return this disclosure to the school **at least 3 working days prior to interview**. If we have not received this, we reserve the right to withdraw the offer of interview.

POST APPLIED FOR:		Date:
Surname:	Previous name(s) (if any):	
Forename(s):	Preferred title:	Date of birth:
National Insurance No:	Teacher Ref. No. (if applicable):	Date of recognition as qualified teacher, QTS (if applicable):

Forest Way School is committed to safeguarding and promoting the welfare of children and we expect all staff to share this commitment. This post is exempt from the Rehabilitation of Offenders Act 1974; pre-employment checks will be carried out; references will be sought and successful candidates will be subject to an enhanced DBS and Barred List check and other relevant checks with statutory bodies.

As you have been shortlisted, you are required to declare any relevant convictions, adult cautions or other matters which may affect your suitability to work with children.

As a result of the amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and employers cannot take these offences into account. If you are unsure whether you need to disclose criminal information, you should seek legal advice, or you may wish to contact Nacro or Unlock for impartial advice. There is more information on filtering and protected offences on the Ministry of Justice Website.

Nacro: <https://www.nacro.org.uk/criminal-record-support-service/> or email: helpline@nacro.org.uk or phone 0300 123 1999.

Unlock: <http://hub.unlock.org.uk/contact/> phone: 01634 247350 or text: 07824113848

1. Do you have any convictions or adult cautions that are unspent? Yes/No
If yes, please provide details here
2. Do you have any other cautions or convictions that would not be filtered? Yes/No
If yes, please provide details here
3. Are you included on the DBS Children's Barred List? Yes/No
If yes, please provide details here

4. (For Teaching & Classroom Support Staff only) Are you, or have you ever been prohibited from teaching by the TRA or sanctioned by the GTCE? Yes/No/Not applicable	
If yes, please provide details here	
5. (Management posts in independent schools/academies & Governors in maintained schools). Have you been prohibited from the management of an independent school (s.128)? Yes/No/Not applicable.	
If yes, please provide details here	
6. Have you lived or worked outside the UK for more than 3 months? Yes/No	
If yes, please provide details here	
7. Are you subject to any sanctions relating to work with children in any country outside the UK? Yes/No	
If yes, please provide details here	
<p>Please complete the declaration below: I declare that all the information I have provided in this disclosure is full and correct at the time of the application and that I have not omitted anything that could be relevant to the appointment of someone who will work with children. I understand that the recruitment panel may be made aware of any relevant information that I have disclosed in order to discuss the matter(s) with me as part of the recruitment process and that, if my application is successful, a risk assessment of the disclosed information will be held securely on my personal file. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role.</p> <p>Signed: _____ Date: _____</p>	

Please return this form to [insert name and address]

Appendix 2: Criminal Record Impact Assessment Form Part 1

If it is proposed to interview the individual about the declared criminal record information Part 2 will be completed.

Name of job candidate/ Volunteer/Governor:			
Job applied for:			
Job location:			
Was the information disclosed: <input type="checkbox"/> on a DBS Disclosure Certificate <input type="checkbox"/> by the individual <input type="checkbox"/> by another source	If declared on DBS Disclosure Certificate:		
	Certificate Number		
	Date certificate issued		
<p>Please briefly outline the nature of the disclosure: <i>NB. It is not appropriate to record the precise details of any convictions, cautions, reprimands, warnings or additional information on this form. Instead record the nature of the disclosure, the year it happened, and the penalty received.</i></p> <p>Examples: <i>Driving Offence 2007 Fine</i> <i>Shop Lifting 2012 Community Service</i> <i>Assault 1994 Custody sentence</i> <i>Breach of the Peace 2017 Caution</i></p>			
Does this post require the individual to work with children, young people or vulnerable adults?		Please tick appropriate box Children <input type="checkbox"/> Adults <input type="checkbox"/>	
Following an initial assessment is verification required from the individual as to whether the information received is accurate?		Please tick appropriate box Yes <input type="checkbox"/> No <input type="checkbox"/>	
<p>If NO – please state reason why not. <i>NB an initial assessment may easily determine that the information is of limited relevance to the post and a decision can quickly be made and recorded, with the reasoning stated and easily justifiable.</i></p> <p>Examples:</p> <ul style="list-style-type: none"> <i>A serious drink driving offence is identified but driving is not required as part of the role, .therefore no action is required.</i> <i>The age of the offence - deemed as 'spent' under the terms of the Rehabilitation of Offenders (ROA) Act 1974, therefore no action is required.</i> <p><i>If consideration is being given to investigate further, then the individual will be asked to verify the accuracy of the information received</i></p>			
Following an initial assessment is it proposed to interview the individual in respect of the information received?		Please tick appropriate box Yes <input type="checkbox"/> No <input type="checkbox"/>	

<p>If Yes – Part 2 of the form will be completed – if an employee, the interview will take place in accordance with the School/College/Academy Disciplinary Procedure</p>
<p>If NO – please state reasons and conclusion</p>

Please complete section A or B on the next page

<p>Section A (Part 1 only) – Existing Employee/Volunteer</p>	
<p>If only Part 1 has been completed and no further action is required, the signature of the Manager/Head Teacher/Principal is required</p>	
<p>Signed:</p>	<p>Date:</p>

<p>Section B (both Part 1 & 2) – New Employee/New Volunteer</p>	<p><i>Please tick appropriate box</i></p>
<p>Decision</p>	
<ul style="list-style-type: none"> To appoint to post 	<input type="checkbox"/>
<ul style="list-style-type: none"> Not to appoint to post 	<input type="checkbox"/>
<p>Signature of the Recruitment Officer.</p>	
<p>Signed:</p>	<p>Date:</p>

<p>Section B (both Part 1 & 2) – Current Employee/Volunteer</p>	<p><i>Please tick appropriate box</i></p>
<p>Decision</p>	
<ul style="list-style-type: none"> No action required 	<input type="checkbox"/>
<p>Employees - The following outcomes can only be enacted using the School/College/Academy Disciplinary procedure</p>	
<ul style="list-style-type: none"> Not to continue in current role 	<input type="checkbox"/>
<ul style="list-style-type: none"> To continue in current role, with the option of making reasonably practicable adjustments. 	<input type="checkbox"/>

<ul style="list-style-type: none">• To continue in a different role; for employees the alternative role wherever practicable should be on the same grade.	<input type="checkbox"/>
Signatures of Head Teacher/Principal:	
Signed:	Date:

Criminal Record Impact Assessment Form Part 2

Has the individual consented to being interviewed?	<i>Please tick appropriate box</i> Yes <input type="checkbox"/> No <input type="checkbox"/>
If an employee, have they been informed of their right to have a representative present?	<i>Please tick appropriate box</i> Yes <input type="checkbox"/> No <input type="checkbox"/>

What impact does the offence/information have on the individual's suitability to carry out the role in question or the individual's suitability to continue within their role?

Having interviewed the individual include the rationale for decision as to whether or not the individual is suitable to take up/continue in the role. If appropriate, include measure(s) proposed to put in place to enable the individual to take up/continue in post:

If the employee/volunteer is not considered suitable to continue in post are there sufficient grounds to make a referral to the Independent Safeguarding Authority?

Yes No **If No, please state reasons.**